



**TOWN OF DEEP RIVER**  
**CLERK PROCEDURES MANUAL**  
**2022 MUNICIPAL ELECTION**

As Clerk of the Town of Deep River for the municipal elections, I do hereby certify the following procedures and forms for conducting the 2022 municipal elections as being those permitted to be used during this election process.

April 28, 2022  
Date Approved

J. Melton  
Jackie Melton, Clerk / Returning Officer

# TABLE OF CONTENTS

DEFINITIONS.....	PAGE 4
ACCESSIBILITY.....	PAGE 11
ALTERNATIVE VOTING TECHNOLOGY (Telephone and Internet Voting) .....	PAGE 12
CAMPAIGNING AND CAMPAIGN MATERIAL .....	PAGE 18
CANDIDATE.....	PAGE 20
CLERK.....	PAGE 27
COMPLIANCE AUDITS.....	PAGE 40
COUNT PROCEDURES.....	PAGE 48
CORRUPT PRACTICES.....	PAGE 52
ELECTION OFFICIAL.....	PAGE 57
ELECTION RECORDS.....	PAGE 59
EMERGENCIES.....	PAGE 60
FINANCIAL DISCLOSURE .....	PAGE 61
FORMS.....	PAGE 74
FRIEND .....	PAGE 77
HELP CENTRE .....	PAGE 78
LAME DUCK.....	PAGE 79
NOMINATION PROCEDURE .....	PAGE 80
PRELIMINARY LIST OF ELECTORS .....	PAGE 86
PROOF OF IDENTIFICATION .....	PAGE 88
PROXY VOTING .....	PAGE 90
REGISTERED THIRD PARTY (THIRD PARTY ADVERTISER) .....	PAGE 91

SCRUTINEER .....PAGE 98  
TIMELINES .....PAGE 100  
TOWN RESOURCES.....PAGE 109  
VOTERS' LIST .....PAGE 110  
VOTING PROCEDURE ..... PAGE 116  
APPENDIX .....PAGE 120

# DEFINITIONS

1. **ACT**

means the *Municipal Elections Act, 1996*, S.O. 1996, C. 32, as amended.

2. **ADVANCE VOTING PERIOD**

means the time during the Voting Period in which eligible electors may cast ballots before Voting Day (October 24, 2022) in an election.

3. **AUDITOR**

means the person appointed by the Clerk to validate the logic and accuracy of a Voting System used in an election.

4. **BALLOT**

means a composite ballot when there is an election for more than one office. Either an image on a computer screen for an election to be voted for, including all choices available to the electors and containing spaces in which the electors mark their votes; or when voting using a telephone, an audio set of instructions which describe all choices available to the electors and instruction to mark their selection by depressing the numbered touchtone keypad.

5. **CANDIDATE**

means a person who has been nominated under Section 33 of the *Municipal Elections Act, 1996*.

6. **CANDIDATE PROHIBITIONS**

Candidates are prohibited from the following:

- Attempting, directly or indirectly, to interfere with how an elector votes;
- Attempting to campaign or persuade an elector to vote for a particular candidate;
- Displaying a Candidate's election campaign material in a voting place;
- Compromising the secrecy of voting;
- Interfering or attempting to interfere with an elector who is marking a ballot;
- Obtaining or attempting to obtain, in a voting place, any information about how an elector intends to vote or has voted, and
- Communicating any information obtained at a voting place about how an elector intends to vote or has voted.

7. **CERTIFIED CANDIDATE**

means a candidate whose nomination has been certified by the Clerk under Section 35 of the *Municipal Elections Act, 1996*.

**8. CERTIFIED LIST OF ELECTORS**

means a list of voters' that are able to vote in the 2022 Municipal Election.

**9. CLERK**

means the Clerk of the municipality who is responsible for conducting the election under the authority of the *Municipal Elections Act, 1996*. All references to the Clerk for the purposes of this manual shall mean the Returning Officer (R.O.) for the 2022 Municipal Election. All references to Clerk's designate shall mean the delegated duties of the R.O.

**10. COMPLIANCE AUDIT COMMITTEE**

means a group of local professionals who receive and determine the merit of complaints, if any, relating to campaign expenses as reported on a candidate's filed Financial Statement – Auditor's Report (Form 4).

**11. DEPUTY RETURNING OFFICER (DRO)**

Means a person appointed by the Clerk who will be delegated specific duties and powers by the Clerk.

**12. ELECTION CAMPAIGN ADVERTISEMENT**

means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate.

**13. ELECTION OFFICIAL**

means the Clerk or other person(s) appointed in writing by the Clerk to carry out election duties under the *Act*. An Election Official can only carry out the tasks and duties as assigned in writing by the Clerk, and must take the prescribed oath. (s. 15(4))

**14. ELECTION SIGNS**

Small advertising signs (also known as yard signs, bandit signs, placards, road signs, etc.) that can be placed on a street-facing lawn or elsewhere on a property to express the support for an election candidate or political position.

**15. ELECTOR**

means an individual eligible to vote in an election for the municipality.

**16. ENDORSEMENT**

means the nomination of a person for an office on a Council must be endorsed by at least 25 persons, and they may endorse more than one nomination. Persons endorsing a nomination must be eligible to vote in an election for an office within the municipality, on

the day the elector endorses the Candidate. School Board Trustees do not need to have endorsements.

**Note:** *The Candidate endorsement requirement of at least 25 eligible electors does not apply to a nomination in a municipality in which the number of electors who were eligible to vote in the previous (2018) election was less than 4,000 (i.e., the prescribed number). The number of electors eligible to vote in the 2018 Municipal Election in the Town of Deep River was 3,167, less than the prescribed number (4,000), therefore, Candidate endorsements **are not** required.*

**17. FRIEND**

means a person who has been requested by an elector to assist him or her in the voting process.

**18. HELP CENTRE**

means a location designated by the Clerk to make additions, deletions and corrections to the Voters' List and to provide assistance and clarification on the election process. It is supplied with an internet connection to accommodate voting during the Voting Period. The ability to vote at the Help Centre will be limited to regular office hours during the Voting Period, save and except on Voting Day when the office will remain open until 8:00 PM.

**19. INTERIM LIST OF CHANGES**

means for a regular election, the list of changes made to the Voters' List between the time the Voters' List was originally published and September 15<sup>th</sup> in the year of the election.

**20. LAME DUCK**

means there are restrictions on Councils' powers (*Municipal Act*, Section 275). A Council is considered to be a Lame Duck Council when: before election day it is determined the new Council will include less than  $\frac{3}{4}$  of the members of the outgoing Council before election day; or, it is determined on election day after the results are known that the new Council is composed of less than  $\frac{3}{4}$  of the members of the outgoing Council.

**21. MUNICIPAL OFFICE**

means the Town of Deep River municipal administration building located at 100 Deep River Road, Deep River, Ontario.

**22. NOMINATION**

means the act of submitting a name for candidacy or appointment.

**23. NOMINATION PERIOD**

begins Monday, May 2, 2022 and ends on Nomination Day, Friday, August 19, 2022 at **2:00 PM.**

**24. NORMALLY RESIDENT IN ONTARIO**

means the place in which an individual regularly returns if his or her presence is not continuous (sleep).

**25. OWNER OR TENANT**

A resident elector is where a person lives, and is eligible to vote in that municipality's election. A person is only allowed to have one residence.

If a person lives in one municipality but owns or rents property in another municipality, then they are a non-resident elector and able to vote in that municipality's election.

If a person lives in one municipality and qualifies as a spouse of a non-resident elector then they are able to vote in that municipality's election.

**26. PASSWORD**

means an additional access control word assigned by the Service Provider to each authorized user (i.e., Auditor, Clerk, Election Official) to provide additional security for access to the Voting System.

**27. PERSONAL IDENTIFICATION NUMBER (PIN)**

means a unique multiple digit number assigned to each registered internet or telephone voter to provide security for access to the Voting System.

**28. PRELIMINARY LIST OF ELECTORS**

means a list of electors for the municipality compiled by the Municipal Property Assessment Corporation (MPAC) and provided to the municipality.

**29. PROOF OF IDENTIFICATION**

means proof of identity and residence as prescribed in O. Reg. 304/13 (Voter Identification) of the *Act*.

**30. RECEIVING LOCATION**

Means the location where the Voting System is activated and where election results are reported.

**31. REGISTERED THIRD PARTY (Third Party Advertiser)**

means an individual who is normally resident in Ontario, a corporation that carries on business in Ontario, or a trade union that holds bargaining rights for employees in Ontario, and who's Notice of Registration for Third Party Advertiser under section 88.6 of the *Act* has been certified by the Clerk.

**32. REGULAR OFFICE HOURS**

means Monday to Friday, 8:30 AM to 4:30 PM.

**33. RESTRICTED PERIOD FOR THIRD PARTY ADVERTISEMENTS**

means the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a Registered Third Party and ends at the close of voting on Voting Day.

**34. REVISION CENTRE**

Means the locations and times designated by the Clerk where members of the public can apply to make additions, deletions and corrections to the list of electors.

**35. SATISFACTORY IDENTIFICATION**

Means a piece of identification or personal information which would verify the identity of an individual to the satisfaction of an Election Official in accordance with the Ministry of Municipal Affairs and Housing (MMAH) list of "Acceptable Documents for Voter Identification", *Ontario Regulation 304/13 (Voter Identification)*, or any other identification criteria established by the Clerk.

**36. SCRUTINEER**

means an individual appointed in writing by a certified Candidate, to represent him or her during the voting process.

**37. SERVICE PROVIDER**

means the company contracted to supply a telephone and internet Voting System for the 2022 municipal election.

**38. TENANT**

means an occupant and a person in possession other than the owner or the spouse of such owner or tenant.

**39. THIRD PARTY ADVERTISEMENT**

means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a Candidate, or a "yes" or "no" answer to



a question on the ballot, but does not include an advertisement by or under the direction of a Candidate or an advertisement that incurs no expenses in relation to the advertisement, or an advertisement that is transmitted to employees, shareholders, or directors of the Registered Third Party.

**40. TIME / CLOCK**

means the time as indicated on the clock located in the reception area at the Municipal Office.

**41. TOWN RESOURCES**

means real property, goods and / or services owned, controlled, acquired, and / or operated by the Town including but not limited to: materials, municipal branding or visual identity, equipment, community recreation centres / arenas / halls, libraries and other facilities, technology, Town databases, intellectual property and supplies.

**42. TRADE UNION**

means a trade union as defined in the *Labour Relations Act, 1995* or the Canada Labour Code, and includes a central, regional or district labour council in Ontario.

**43. VOTING DAY**

means the final day on which ballots may be cast in an election in the municipality.

**44. VOTER HELP DESK**

means the phone number (613-584-2000) and email address ([vote@deepriver.ca](mailto:vote@deepriver.ca)) which voters may contact to receive remote assistance with telephone and internet voting or with other general election inquiries.

**45. VOTER INFORMATION LETTER (VIL)**

means a letter containing a PIN, telephone number and internet address for voting, a telephone number and address for assistance, and a list of Candidates for office. These letters shall be mailed individually to every person on the Voters' List.

**46. VOTING KIOSK**

means a physical location on a property operated by the municipality where eligible electors may attend in person to cast their ballot with an internet-enabled device at a Voter Assistance Centre specifically configured to permit electors to cast a ballot on the Voting System during an election. Two voting kiosks will be set up on the second floor of the Municipal Office at 100 Deep River Road.

**47. VOTING PERIOD**

means the time during which Electors may cast ballots using the Voting System provided in an election, and includes both the Advanced Voting Period and Voting Day.

**48. VOTING SYSTEM**

Means the platform(s) chosen by the municipality (internet / telephone) to provide electors with a means of casting their ballot in an election.

**49. VOTERS' LIST**

means the list of eligible Electors in an election in the municipality.

Note: Electors may check if they are on the Voters' List on the Voter Lookup tab on the Town website Elections page. If a person is not on the Voters' List, he / she must complete the "*Application to Amend Voters' List*", Form EL15. The Returning Officer or Deputy Returning Officer shall request proof of identification as prescribed. That person's name and address can then be added to the Voters' List. A Voter Information Letter can then be issued by the Returning Officer or Deputy Returning Officer.

**50. VOTING PLACE**

There is no Voting Place where an alternative voting method has been approved by Council such as Telephone and Internet or Vote by Mail.

**51. VOTING DAY** (not to be confused with Voting Period)

means the final day on which the vote is to be taken in an election and shall be Monday, October 24, 2022 with the close of voting at 8:00 PM.

**52. VOTING PERIOD**

means the period in which an eligible voter may cast their vote, either via internet or telephone and shall span from Tuesday, October 11, 2022 at 8:30 AM to Monday, October 24, 2022 at 8:00 PM.

**53. VOTING SYSTEM**

means the hosted software supplied by the Service Provider that operates telephone and internet voting, including the Auditor, Candidate and Administrator interfaces.

# **ACCESSIBILITY**

## **Electors and Candidates with Disabilities**

The Clerk shall have regard to the needs of electors and Candidates with disabilities.

### **Location - Accessibility**

In establishing the locations of Help Centres, the Clerk shall ensure that each Help Centre is accessible to electors with disabilities.

### **Report**

Within 90 days after Voting Day in a regular election, but no later than Monday, January 23, 2023, the Clerk shall submit a report to council about the identification, removal and prevention of barriers that effect electors and Candidates with disabilities.

### **Other Resources**

*AMCTO Municipal Election Candidate's Guide to Accessible Elections*  
*Accessibility Standards for Customer Service, O. Reg. 429/07*  
*Municipally approved Accessibility Policies and Procedure*

# **ALTERNATIVE VOTING TECHNOLOGY**

## ***Telephone and Internet Voting***

### **Authority to Use Alternative Voting Technology (Section 42)**

A By-Law to authorize Alternative Voting Methods must be passed on or before May 1 in the year of the election.

On April 19, 2017, the Council of the Corporation of the Town of Deep River adopted By-Law No. 09-2017 authorizing the use of internet and telephone voting for the 2018 and for subsequent Municipal and School Board elections in the Town of Deep River.

Section 42 (3) of the *Municipal Elections Act, 1996*, states as follows:

(3) The Clerk shall,

- (a) establish procedures and forms for the use of,
  - (i) any voting and vote-counting equipment authorized by By-Law, and
  - (ii) any alternative voting method authorized by By-Law; and
- (b) provide a copy of the procedures and forms to each Candidate when his or her nomination is filed.

### **Service Provider**

The Corporation of the Town of Deep River has entered into an agreement with Simply Voting Inc. for the provision of internet and telephone voting services for the 2022 Municipal and School Board Elections.

### **System Integrity**

The integrity of the voting process shall be the responsibility of the Clerk and shall be preserved by:

- ensuring that every eligible elector on the Voters' List, as amended, is sent a sealed Voter Information Letter (VIL) by mail via Canada Post containing the voter's unique PIN;
- providing an opportunity for eligible electors to be added to the Voters' List or to make amendments to the list from September 1 until the close of voting on October 24, 2022 at 8:00 PM.
- ensuring no one except authorized Simply Voting Inc. and Taylor Demers Mail Processing Inc. staff shall have access to a comprehensive list of PINs that matches each voter's name and address;
- establishing proper procedures to ensure that no person is added to the Voters' List unless an Election Official is completely satisfied of their identity and qualification as an elector in the Municipality;
- establishing proper procedures to ensure that no replacement PIN is issued unless an Election Official is completely satisfied of the eligible elector's identity;
- ensuring that no replacement PIN is issued by anyone other than an employee of the municipality who has been appointed in writing by the Clerk to do so; and
- appointing an Auditor to test the Voting System in accordance with the criteria listed below, and providing same with read-only access to the Voting System.

### **Auditor**

The Auditor, appointed by the Clerk, shall test the Voting System on several occasions. Prior to the start of the Voting Period, the service provider shall provide the Auditor with access to the Voting System by secure username and password.

Prior to the activation of the system by the service provider, on October 11, 2022 (8:30 AM), the Auditor shall access the Voting System between 8:00 AM and 8:30 AM for the purposes of ensuring that all Candidates' names are listed and that no votes have been cast.

In addition, the Voting System shall be tested thoroughly through a comprehensive audit prior to the Voting Period. The tests shall include but not be limited to the following:

- Voting System refuses ballots before the start of the Voting Period
- Voting System is 'zeroed out' at the start of the Voting Period
- Voting System presents electors with the correct ballot based on their elector information
- Voting System accepts ballots from un-used eligible PINs

- Voting System refuses ballots from used PINs
- Voting System does not allow over-votes on any ballot
- Voting System acknowledges under-voted ballots and prompts elector if they wish to complete under-voted contests on their ballot
- For telephone voting specifically, the wording and clarity of the recordings and the input timing is accurate
- Voting System ‘times out’ after a period of voter inactivity
- Voting System accepts ballots from PINs that previously ‘timed out’ or were abandoned before being submitted
- Voting System refuses ballots after the end of the Voting Period, except from specifically authorized Voting Kiosks
- Voting System accurately counts votes for all Candidates in each contest

The Voting System shall be further tested through an ongoing audit during the Voting Period. The tests shall include but not be limited to the following:

- Voting System presents electors with the correct ballot based on their elector information
- Voting System does not allow over-votes on any ballot
- Voting System acknowledges under-voted ballots and prompts elector if they wish to complete all contests on their ballot
- Voting System ‘times out’ after a period of voter inactivity
- Voting System refuses ballots after the end of the Voting Period, except from specifically authorized Voting Kiosks

All Voting Kiosks and associated information technology infrastructure used at Voter Assistance Centers will be tested for internet access, network security, proper configuration, and device security.

### **Preparation of Voter Information Letters (VILs)**

The Voters’ List, being the compilation of the Preliminary List of Electors and Interim List of Changes, shall be provided to the Service Provider by September 9, 2022 in electronic format in order that the Service Provider may produce and print the Voter Information Letter.

Voter Information Letters shall be delivered to Canada Post and distributed by Canada Post Letter mail to all eligible voters on the Voters’ List no later than September 28, 2022 to enable them to use the internet / telephone voting method.

The Voter Information Letter will contain:

- The elector's PIN, as well as the telephone number to call if voting by phone and the designated internet address (URL) if voting on-line, to cast their vote;
- Dates and hours of Telephone / Internet Voting;
- The email address and telephone number of the Voter Help Desk;
- Office and Candidate information;
- Voter eligibility criteria; and
- Illegal and corrupt practices.

A person shall not give his / her Voter Information Letter to another eligible elector for the purpose of voting. Acceptance of another person's Voter Information Letter including the actual voting thereof will be considered an illegal and corrupt practice and therefore subject to the penalty provision under the *Municipal Elections Act, 1996*, specifically Sections 89 and 90.

### **Controls For Voter Information Letters**

The Preliminary List of Electors (PLE) shall be reviewed by the Clerk and / or Election Official(s) prior to the final preparation of the Voters' List as certified by the Clerk. However, should an eligible voter receive more than one Voter Information Letter, the eligible voter may only vote once and must return the other Voter Information Letter. All electors who vote more than once or who improperly use the Voter Information Letter shall be reported to the Police for further investigation as to possible corrupt practices under the *Municipal Elections Act, 1996*.

Voter Information Letters returned to the Help Centre shall have the PIN immediately disabled in the Voting System so that the PIN cannot be used to vote.

All returned Voter Information Letters will be maintained in a secure fashion, and destroyed in the same manner as all other municipal election material as provided for under Section 88 of the *Municipal Elections Act, 1996*.

The Clerk and the Election Official(s) shall ensure a complete audit trail is maintained of all Voter Information Letters:

- a) that were returned from the Post Office;
- b) that were returned by an elector or other individual(s) either opened or unopened but unused for voting purposes;
- c) that were otherwise set to a status that prevented them from being used to vote;
- d) that were re-issued to an eligible elector; and
- e) that were assigned by Election Officials to eligible electors that have completed the "*Application to Amend Voters' List*" Form EL15.

## Voting

The Voting Period shall be from Tuesday, October 11 at 8:30 AM to Monday, October 24, 2022 at 8:00 PM.

Eligible electors may telephone a designated toll-free number to cast their vote by using a cellular or land line, touch-tone telephone but **not a rotary dial telephone**. Alternatively, eligible electors will be able to access a designated internet address to cast their vote.

Every eligible elector shall be limited to one ballot for all races for which they are entitled to vote, through the use of a PIN distributed by Canada Post mail in a sealed and personalized Voter Information Letter. **Every eligible elector shall be required to provide their date of birth along with their PIN.** The Voting System will allow the eligible elector to vote using either a telephone or the internet.

A voter must vote on all the races at once by selecting Candidate(s) or by indicating “abstain” if he / she wishes to do so. The voter cannot vote some of the races and vote the remaining races later. Once a voter has made a selection for each race, the Voting System shall indicate the voter’s choice and shall allow the voter to either confirm their selection, and cast their vote, or return to the ballot to change their selection.

If a voter is interrupted before casting their vote, they may re-commence voting later using the same method or the other method. However, once a voter has cast their vote, that voter will not be granted access to internet / telephone voting again using that PIN.

The Service Provider shall keep track of all electors who have voted. This **does not** provide information on how an elector has voted.

The names of electors who have voted during the Voting Period will be provided to the Clerk electronically through the Voting System using the Clerk’s assigned username and password. This report titled “Daily Voter Participation” will be created in an electronic file format suitable for electronic distribution and will only be done so under the control and direction of the Clerk.

If requested in writing by a Candidate on the “*Declaration of Proper Use of the Voters’ List*,” Form EL14, the Clerk will provide a copy of the report. This information shall be made available to Candidates through the Clerk’s Office.



## Close of Polls

- Any person remaining within a Voter Assistance Centre after 8:00 PM on October 24, 2022 will still be permitted to vote from the Voting Kiosks. Persons who have gained access to the Voting System remotely through their own device prior to 8:00 PM on October 24, 2022 will be permitted to complete the voting process, **provided they do so by 8:05 PM**.
- At such a time as all eligible electors within a Voter Assistance Centre have voted and after 8:05 PM the Clerk shall order the close and deactivation of the Telephone / Internet Voting service and shall also order the generation of the results for each contest.

## Notice of Results

- As soon as possible after 8:00 PM on October 24, 2022 at the Receiving Location, the Clerk shall download the unofficial results from the Voting System. The Clerk shall publish the unofficial results on the Municipal Website.
- As soon as possible after Voting Day, the Clerk shall declare the official results using “*Certificate of Election Results*” Form EL08, and post the official results on the Municipal Website.

## Destruction of Records

Election records shall be destroyed in accordance with Section 88 of the *Municipal Election Act, 1996*. Upon written request of the Clerk following the passage of 120 days after Voting Day (February 22, 2023), Simply Voting Inc. shall destroy all ballots associated with the election and provide written confirmation of same to the Clerk.

# **CAMPAIGNING AND CAMPAIGN MATERIAL**

## **Candidate Campaign Advertising (Section 88.3)**

Campaigning, including campaign advertising and the printing and distributing of materials, the collection or spending of money related to the election, etc., is prohibited until the Candidate or Registered Third Party files their Nomination Papers with the Clerk.

Candidate campaign advertising means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting or supporting the election of a Candidate. Examples include, lawn signs, brochures, posters, print, radio and electronic ads, etc. All Candidate campaign advertising shall identify the Candidate by name, as it appears on the Nomination Form.

Information contained in / on all campaign material is the responsibility of the Candidate and any questions or concerns should be directed to the Candidate.

## **Municipally Owned Facilities**

Election campaigning or the distribution / posting of election campaign material at municipal facilities is not permitted.

No person shall at any time erect a campaign sign, or cause a campaign sign to be erected, in any public park or on any Town property.

No person shall, on any election voting day, including those days when advance election voting is held, erect a campaign sign, or cause a campaign sign to be erected on or at any premises used as a voting place for elections.

The use of corporate resources is not permitted by Candidates for election purposes (i.e., staff, electronic devices, supplies, candidate photos taken in / on municipal property, etc.).

## **Election Signs**

By-law No. 25-2015, a by-law to prohibit or regulate the use of Signs and any other advertising devices within the Town of Deep River states:

## 1. Definitions

“**Temporary Sign**” means any sign not permanently attached to the ground or any other permanent structure and having a message applicable for a defined and specific period of time, including construction signs, election signs, event signs, and real estate signs.

## General Provisions – Section 2

The following provisions apply in all zones:

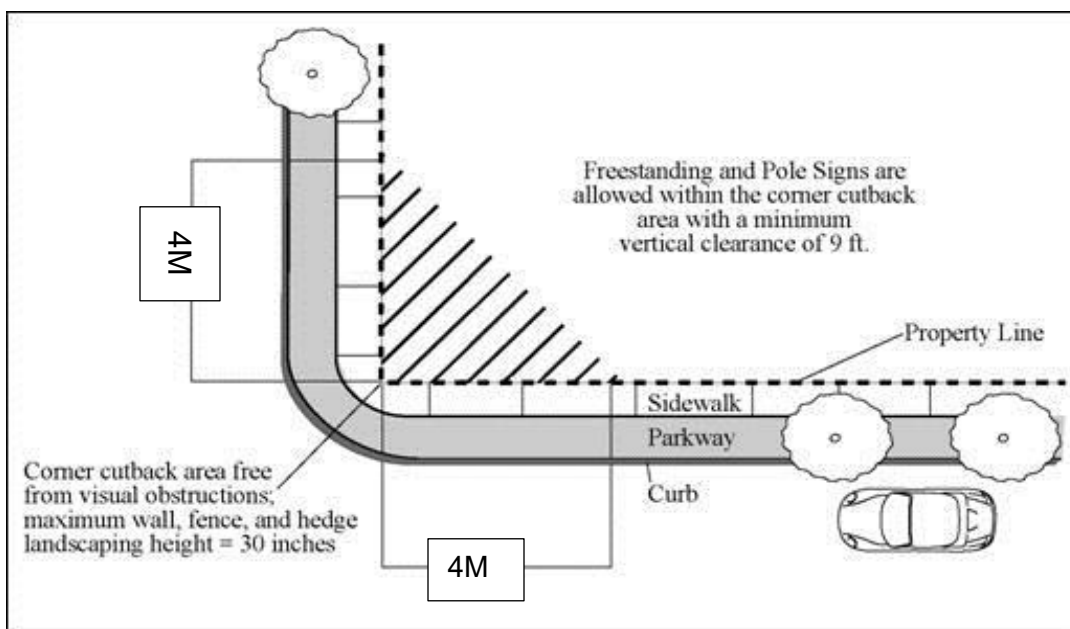
- 2.2 A temporary sign, not larger than 1.5 square metres in residential zones and not larger than 3.0 square metres in all other zones, is permitted in connection with Federal, Provincial or Municipal elections, or in connection with civic events.
- 2.2.1 Election signs may be erected not sooner than the first Monday following Nomination Day for a Municipal Election. Candidates not eligible to be elected in the Town of Deep River shall not erect, nor permit his / her election signs to be erected within the geographic boundaries of the Town of Deep River.
- 2.2.3 Election signs shall be removed within five days after the election or event.
- 2.2.4 Election signs shall not be erected on private property without the consent of the owner(s).
- 2.4.1 Such sign may be on the municipal road allowance adjacent to the premises, but not closer than 1.5 metres to the travelled portion of a street.

## Administration and Enforcement – Section 8

- The Municipal By-Law Enforcement Officer or designate shall be responsible for the administration and enforcement of this By-Law.
- Any sign erected or displayed in contravention of the provisions of this By-Law shall be removed immediately without notice, if located on, over, partly on, or partly over property owned by the municipality.
- Election campaign signs that are removed will be taken to and can be retrieved from the inside gate on the left-hand side at the Public Works depot located at 2 Cedar Road, Deep River, ON.
- Highway 17 is under the jurisdiction of and is monitored by the Ministry of Transportation (MTO).
- Election campaign signs are permissible on the north east side entrances only to the Town Hall parking lot. Signs placed on the triangle perimeter of the Town Hall will be removed.
- Election campaign signs are not permissible on Municipal property including but not limited to Lemure Beach, Pine Point Beach, Deep River Public Library, Community

Centre, School Campus, Grouse Park, Deep River Arena or the Deep River Community Pool.

- Election campaign signs are permissible on school and hospital road allowances as long as the sign does not obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition.
- Election campaign signs are permissible at the 4 way stop road allowances on Deep River Road as long as the sign does not obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition.
- No signs are permitted on any road allowance area beside or in front of a residential property without consent of the resident. All signs must be compliant with By-Law 25-2015.
- Intersections



The above diagram highlights the area at an intersection that must remain free of any non-regulatory signage. The purpose of this is to ensure good visibility and safety at all intersections.

A complete copy of By-Law 25-2015 is included in the Candidate package.

## Residential Properties

No signs are permitted on any road allowance area beside or in front of a residential property without the consent of the resident. All signs must be compliant with By-Law 25-2015.

## **Removal of Signs**

Notwithstanding the authority to remove, as outlined in Section 88.7 of the *Act*, the Town will remove any election campaign sign on a road allowance or in any public park or on any property owned or occupied by the Town that:

- Is placed or otherwise attached contrary to any provision of the Town's Election Policies and Procedures,
- Is in a condition of disrepair and / or
- In the sole opinion of the Town, creates a hazard to vehicular traffic or pedestrians.

## **County of Renfrew Election Campaign Signs County Roads (Ridge Road and Deep River Road)**

### **Guidelines for the Installation of Political Campaign Signs**

- Signs shall not be permitted on traffic islands or medians along County Roads.
- Large sign assemblies are not permitted within the road allowance
- Smaller single post or wire frame signs shall be permitted along the edge of the roadway as long as they do not interfere with site lines and the flow of motor vehicle and pedestrian traffic.
- Signs may not be attached to any existing sign posts or light poles along County Roads.
- Any signs deemed to be creating a hazard will be removed. The signs can be picked up at the applicable County Patrol Garage. Signs not picked up by the end of the election shall be destroyed.
- Candidates have one week after the election to remove signs from the County Road allowance. Signs not removed will be destroyed.

# CANDIDATE

A Candidate's campaign period begins once their nomination papers are file.

A Candidate whose nomination has been filed shall not direct any Third-Party advertisements.

In most cases, a Candidate's campaign period will end on January 3, 2023. Exceptions are if the Candidate:

- withdrew their nomination, their campaign ends on the date they informed the Clerk in writing that they wished to withdraw, or filed nomination papers for another office.
- was not certified as a Candidate and their name did not appear on the ballot, their campaign ends on Nomination Day (August 19, 2022).
- determines they will not have any more financial activity, they may end their campaign at any time after Voting Day and before January 3, 2023 by filing their Financial Statement.

In the event that nomination papers are filed by a representative / agent of the Candidate, the Declaration of Qualification included on Form 1 (Nomination Paper), and the Personal Information Release Consent Form must be signed and commissioned prior to being delivered by the representative / Agent.

Upon receipt of payment, the date and time of filing are entered on the Nomination Form. Nomination papers are accepted during regular business hours (Monday – Friday, 8:30 AM to 4:30 PM). **If filed on Nomination Day, the prescribed filing time is between 9:00 AM and 2:00 PM.** If a person is present at the Clerk's office on Nomination Day at 2:00 PM, subsection 33(4.1) of the *MEA* provides that he or she may file the nomination as soon as possible after 2:00 PM.

The following must be submitted when filing a nomination:

1. Nomination Paper – Form 1 (**complete, no omissions**).
2. Photo Identification (valid government issued photo identification which includes name and address).
3. Consent to Release of Personal Information – Form EL52
4. Prescribed filing fee:           \$200 for head of Council  
  \$100 for all other offices.

The filing fee is payable by cash, debit, certified cheque or money order made payable to the Town of Deep River.

## Candidate Name Pronunciation

For certified Candidates who wish to provide proper pronunciation of their name for programming into the telephone Voting System, Simply Voting will provide a phone number for Candidates to call in for pronunciation of their name.

## Candidate Qualifications - Council

A person is qualified under *MEA*, s.17 to be elected or hold office as a member of Council only if, as of the day they file their nomination they:

- a. are a Canadian citizen;
- b. are at least 18 years of age;
- c. reside in the local municipality, or are the owner or tenant of land in the municipality, or the spouse of such a person; and
- d. are not prohibited from voting as noted or otherwise, by law.

Under *MEA*, s.30(1), an employee of a municipality must take an unpaid leave of absence to be a Candidate for that municipality. An employee of a School Board may run for Council without a leave of absence.

## Persons Disqualified – Council

The following persons are disqualified from being elected or from holding office as a member of Council:

- Except in accordance with *MEA*, s.30 (Leave of Absence), an employee of the municipality, or a person who is not an employee of the municipality but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman or Registrar referred to in s.223.11 of the *Municipal Act*, or an investigator referred to in s.239.2(1) of the municipality or a person who is not an employee of the municipality but who holds any administrative position of the municipality.
- A judge of any court.
- A Senator, a Member of Parliament, a Member of Provincial Parliament.
- A person who is serving a sentence of imprisonment in a penal or correctional institution (this does not include a person serving a sentence at home).
- A corporation.
- A person acting as Executor or Trustee or in any other representative capacity except as a voting proxy.
- A person convicted of a corrupt practice under this *Act*, or of an offence under the Criminal Code (Canada) in connection with an act or omission that relates to an election to which

this *Act* applies, then the person is ineligible to be nominated for, or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates.

- A person disqualified for violations of financial requirements or violations of requirements for filing financial information as per s.92(1) and s.88.23(2).
- S.423(1) of the *Municipal Act* provides that a member of a municipal Council who knowingly votes to authorize the borrowing of any amount larger than permitted under s.407 is disqualified from holding any municipal office for two years.
- S.424(1) of the *Municipal Act* provides that a Council applies any money raised for a special purpose or collected for a sinking or retirement fund to pay current or other expenditures other than those permitted by this Act, each member who votes for the application is disqualified from any municipal office for two years.
- S. 424(3) of the *Municipal Act* provides that if a Council neglects in any year to levy the amount required to be raised for a sinking or retirement fund, each member of the Council is disqualified from holding any municipal office for two years, unless the member shows efforts to produce the levying of the amount.
- S.9(1) of the *Municipal Conflict of Interest Act* provides that a member may be disqualified from holding municipal office for a period of up to seven years if found to have contravened the *Act*.

### **Candidate Qualifications – School Boards**

A person is qualified to be elected or hold an office as a School Board Trustee only if, as of the day they file their nomination they are:

- Entitled to be an elector under *MEA*, s.17
  - a. Are a Canadian citizen;
  - b. Are at least 18 years of age; and
  - c. Are not prohibited under the *Act* from voting or otherwise by law.
- Qualified to be a member of the School Board in accordance with the *Education Act*, s.219
  - a. Reside within the School Board's area of jurisdiction; and
  - b. Are qualified to vote for members of that School Board (a supporter of that School Board).

Under the *Education Act*, s.219 an employee of a School Board must take an unpaid leave of absence to be a Candidate for any School Board.

An employee of a municipality may run for a School Board without taking a leave of absence



## Identification of Candidate and / or Agent

Candidates must provide the Election Official with suitable proof of identity and qualifying address within the Municipality when filing a Nomination. If an Agent is filing on behalf of a Candidate, the Agent must provide a copy of the Candidate's identification, as well as their own. Suitable identification is valid government issued photo identification which includes name and address.

## Release of Personal Information

The Personal Information Release Consent Form ("*Consent to Release of Personal Information*", Form EL52) must be completed. This form is used by the Municipal Clerk's Office to provide Candidates with proper notice of the collection, use and disclosure of their personal information both within the Municipal Clerk's Department and on the Municipality's Election Webpage.

## Endorsement

The Candidate endorsement requirement of being endorsed by at least 25 eligible electors does not apply to a nomination in a municipality in which the number of electors who were eligible to vote in the 2018 election was less than 4000 (i.e., the prescribed number).

The number of electors who were eligible to vote in the Town of Deep River 2018 Municipal Election was 3,167, less than the prescribed number (4,000). Therefore, Candidate endorsements **are not required** for the 2022 Municipal Election.

## Voters' List

All certified Candidates shall be entitled to an electronic or hard copy of the part of the Voters' List that contains the electors who are entitled to vote. Candidates shall sign the Candidate's Declaration – Proper Use of the Voters' List Form EL 14 stating that the Voters' List shall not be used for any purposes other than the 2022 Municipal and School Board elections, in accordance with Section 88(10) of the *Municipal Elections Act, 1996*. This access does not provide information on how an elector has voted, only whether or not they have participated in the election. Candidates may access this information anytime from the start of the Voting Period, until October 24, 2022 at 8:00 PM.

## Extending a Campaign

If at the end of the campaign period a Candidate's campaign expenses are greater than their campaign income, their campaign will be in a deficit. A Candidate may take action

to extend their campaign for an additional six months in order to do some additional fundraising, to erase the deficit.

To extend their campaign, a Candidate must file a “*Notice of Extension of Campaign Period*”, Form 6 with the Clerk, on or before January 3, 2023.

The campaign period will continue until the earliest of the following:

- the deficit is erased;
- the Candidate runs for another office in a subsequent election or by-election;
- the Candidate notifies the Clerk in writing they are no longer accepting any contributions;
- June 30, 2023, in the case of a regular election;
- six months from the 45th day after Voting Day, in the case of a by-election; or
- the day A equals the total of B and C, where:
  - A = any further contributions,
  - B = the expenses incurred during the extension of the election campaign period,
  - C = the amount of the candidate’s deficit at the start of the extension of the election campaign period.
- Candidates who extend their campaign must file two Financial Statements by the statutory filing deadlines.

## **Oath of Office**

A person cannot take a seat on Council until they have taken the prescribed Oath of Office.

A person cannot take a seat on an upper tier Council until the Clerk of the lower tier has certified to the Clerk of the upper-tier municipality the name of each person so elected or appointed.

A new Council of a municipality shall be deemed to be organized after a regular election or after a by-election under section 266 when the declarations of office under section 232 have been made by a sufficient number of members to form a quorum.

## **First Meeting of New Council**

The term of all offices to which this *Act* applies is four years, beginning on November 15 in the year of a regular election. The final day the first meeting of a new Council of a municipality can be held is December 16, 2022.

# CLERK

The Clerk of a municipality is responsible for preparing and conducting the election, preparing for and conducting recounts, and maintaining peace and order in connection with the election.

## Section 11 (2)

Section 11 (2) of the *Municipal Elections Act, 1996*, states that the Clerk of a local municipality is responsible for conducting elections within that municipality, which includes responsibility for:

- (a) preparing for the election;
- (b) preparing for and conducting a recount in the election;
- (c) maintaining peace and order in connection with the election; and
- (d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).

## Duties and Authority of Clerk Section 12 (1)

With respect to the duties and authority of a Municipal Clerk, Section 12 (1) of the *Municipal Elections Act, 1996* states as follows:

- 12(1) A Clerk who is responsible for conducting an election may provide for any matter or procedure that,
- (a) is not otherwise provided for in an *Act* or regulation; and
  - (b) in the Clerk's opinion, is necessary or desirable for conducting the election.

The authority conferred by Section 12 (1) includes the power to establish forms, including forms of oaths and statutory declarations, and to require their use. It also includes the power to require a person, as a condition of doing anything or having an Election Official do anything under the *Act*, to furnish proof that is satisfactory to the Election Official of the person's identity or qualifications or of any other matter.

Section 13 of the *Municipal Elections Act, 1996*, further states as follows:

- (1) Any notice or other information that this *Act* requires the Clerk to give shall be given in a form and manner and at a time that the Clerk considers adequate to give reasonable notice or to convey the information, as the case may be. 1996, c. 32, Sched., s. 13 (1).

- (2) The Clerk shall provide electors, Candidates and persons who are eligible to be electors with information to enable them to exercise their rights under this Act.

## **Electors and Candidates with Disabilities (Section 12.1)**

A Clerk who is responsible for conducting an election shall have regard to the needs of electors and Candidates with disabilities.

## **Notice of Election (Section 32)**

The Clerk shall notify electors of the following through the use of newspaper advertisements, social media, and the municipal website:

- That a municipal election is being held in the Municipality which has adopted an alternative voting method, being Telephone / Internet Voting;
- The times and dates of the voting period, as well as in-person voting assistance opportunities;
- Who is eligible to vote in the municipal election;
- Information regarding the Voter Help Desk and how eligible electors can check to see if their name is on the Voters' List or if their information is correct;
- The offices for which persons may be nominated and the nomination procedure; and
- The opportunity to become a registered Third-Party Advertiser and the registration procedure.

The Clerk shall determine the date(s) of all advertisements including the newspaper(s) and the notices that are to appear in order to comply with the requirements of the *Municipal Elections Act, 1996*.

## **Procedures and Forms (Section 42(3))**

Section 42 (3) of the *Municipal Elections Act, 1996*, states as follows:

(3) The clerk shall,

- (a) establish procedures and forms for the use of,
- (i) any voting and vote-counting equipment authorized by By-Law, and
  - (ii) any alternative voting method authorized by By-Law; and

- (b) provide a copy of the procedures and forms to each Candidate when his or her nomination is filed.

The Corporation of the Town of Deep River has entered into an Agreement with Simply Voting Inc. for the provision of internet and telephone voting services for the 2022 Municipal and School Board elections.

### **Emergency (Section 53)**

The *Municipal Elections Act, 1996*, Section 53 provides that the Clerk may declare an emergency if they are of the opinion that circumstances have arisen that are likely to prevent the election being conducted in accordance with the *Act*, and provides the authority to the Clerk to make arrangements for the proper conduct of the election. Any arrangements made by the Clerk, if they are consistent with the principles of the *Municipal Elections Act, 1996*, prevail over anything in the *Act* and the regulations and all such arrangements, if made in good faith, shall not be reviewed or set aside on account of unreasonableness or supposed unreasonableness.

## **DISCRETIONARY POWERS OF THE CLERK**

The following chart outlines the Implied and Direct Discretionary Authority of the Clerk. It is not an exhaustive list.

Note: Unless otherwise noted, the section cited in the following chart is from the *Municipal Elections Act*.

Section	Short Description
<b>Broad Discretionary Authority</b>	
<a href="#">s.11(1)</a>	The Clerk is responsible for conducting elections. Unless otherwise provided, the Clerk has broad discretionary authority to determine the form and method of communication for notices, forms and other information provided by the <i>Act</i> .
<a href="#">s.12(1)</a>	The Clerk may provide for any matter or procedure that is not specifically provided for in the <i>Act</i> or Regulations and in the Clerk's opinion, is necessary or desirable for conducting the election.

<a href="#">s.12(2)</a>	The Clerk may establish forms such as oaths, statutory declarations and has the power to require their use.
<a href="#">s.12(3) and (4)</a>	The Clerk may require a person to furnish proof of identity, qualification or any other matter. The power given the Clerk though does not include the power to require a person for the purposes of s.52(1) – voting procedure – to furnish proof of identity and residence in addition to what is prescribed.
<a href="#">s.14(1) and (2)</a>	The Clerk may provide for electronic filing of a document filed under section 33, 44 or 88.6.
<b>Electronic Filing of Documents</b>	
<a href="#">s.33(6)</a>	The Clerk may provide for electronic filing (a nomination) under this section and may establish conditions and limits with respect to electronic filing.
<a href="#">s.14(1) and (2)</a>	The Clerk may provide for electronic filing [a proxy] under this section.
<a href="#">s.88.6</a>	The Clerk may provide for electronic filing [a Third-Party advertising registration] under this section and may establish conditions and limits with respect to electronic filing.
<a href="#">s.88.25(11)</a>	The Clerk may provide for electronic filing of Candidate Financial Statements.
<a href="#">s.88.29(9)</a>	The Clerk may provide for electronic filing of Third-Party advertising financial statements.
<b>Cost of Elections</b>	
<a href="#">s.7</a> ; <a href="#">s.8(7)</a> ; <a href="#">s.45</a>	The Clerk has authority and control over the costs incurred for an election.
<a href="#">s.7(3)1</a>	The Clerk may seek reimbursement from a local Board or upper-tier municipality for the costs of a recount in a regular election for a local Board or municipality, a By-Law or question submitted by an upper-tier or local Board or Minister.
<a href="#">s.7(3)4</a>	The Clerk shall bill for costs when the Clerk counts the votes or conducts a recount of a ranked ballot election for an upper-tier municipality, if the member of Council of the upper-tier municipality is not also elected to the Council of the lower-tier municipality within the upper-tier municipality.

**Notice of By-laws and Questions**[s.8\(6\)](#)

The Clerk shall determine the form and method of notice to the electors of By-Laws and questions to be placed on the ballot, regardless of whether it was initiated by a municipality, an upper-tier or a Minister.

**Certification of Vote Results**[s.8\(9\)](#)

The Clerk shall determine the form of certification when giving the result of the vote on a question or By-Law.

[s.55\(4.1\)](#)

The Clerk shall, as soon as possible after Voting Day, make information available on the number of votes for each Candidate, the number of declined and rejected ballots and the number of votes (yes or no) on a by-law or question and determine website or electronic format.

**Information to Electors / Notices**[s.12.1\(1\)](#)

The Clerk shall identify strategies to provide for the needs of electors and Candidates with disabilities.

[s.12.1\(2\)](#)

The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and Candidates with disabilities before Voting Day in a regular election.

[s.12.1\(3\)](#)

Within 90 days after Voting Day in a regular election, the Clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and Candidates with disabilities.

[s.13\(1\)](#)

The Clerk shall determine the form, manner and timing of any notice or other information required by the *Act*.

[s.13\(2\)](#)

The Clerk may determine what information is necessary to inform electors how to exercise their rights under the *Act*.

[s.40\(a\)\(b\)\(c\) and \(d\)](#)

The Clerk shall give notice to the electors and determine the form and method of giving such notice about the location of voting places, dates and times open, the manner in which electors may use voting proxies if applicable and if alternative voting methods, the manner in which electors may use the alternative voting methods.

<b>Appointment of Election Officials</b>	
<a href="#">s.15(1)</a>	The Clerk shall appoint a Deputy Returning Officer (DRO) for each voting place.
<a href="#">s.15(1)</a>	The Clerk may appoint other Election Officials in addition to DRO's. The Clerk determines what instruction and training is provided to Election Officials.
45(8)	The Clerk may issue instructions to Deputy Returning Officers (DRO) regarding attending on an elector in an institution or retirement home.
<b>Delegation of Authority</b>	
<a href="#">s.15(2) (3) and (4)</a>	The Clerk may delegate to Election Officials in writing, any of the Clerk's powers and duties, however, the Clerk may continue to exercise the delegated powers and duties, despite delegation.
<b>Creation of Voting Subdivisions</b>	
<a href="#">s.18(1)</a>	The Clerk may divide the municipality into voting subdivisions (on or before March 31 in the year of regular election).
<a href="#">s.18(2)</a>	If the Clerk creates voting subdivisions, they shall inform the Municipal Property Assessment Corporation (MPAC) (on or before March 31 in the year of a regular election).
<b>Preliminary List of Electors</b>	
<a href="#">s.19(1.1)</a>	The Clerk and MPAC may agree on a date for the delivery of the Preliminary List of Electors (which must be a date earlier than September 1). If no date agreed upon or prescribed – July 31.
<a href="#">s.22(1)</a>	The Clerk may correct any obvious errors in the PLE, and shall notify MPAC of the corrections.
<a href="#">s.22(2)</a>	For the purposes of subsection (1), the Clerk may use any information that is in the local municipality's custody or control.
<b>Voters' List</b>	
<a href="#">s.23(2)(a) and (b)</a>	The Clerk shall have the Voters' List reproduced on or before September 1st and determine where and at what time



	applications for revisions to the Voters' List may be made under s.24 and s.25.
<a href="#">s.24(1) and (2)</a>	From September 1st to the close of voting on Voting Day, a person may make an application to be added or removed from the Voters' List or have the information on the Voters' List relating to that person amended. The application shall be in writing and shall be filed in person, by mail, or in any other format and matter that the clerk specifies.
<a href="#">s.24, s.25</a>	The Clerk may approve or deny applications for revision to the voters' list.
<a href="#">s.25(1)</a>	The Clerk may, on their own initiative, remove a person's name from the voters' list until the close of voting on Voting Day if the Clerk is satisfied that the person has passed away.
<a href="#">s.25(4)</a>	The Clerk shall determine the format and manner of the written application to remove a deceased person's name.
<a href="#">s.27(1)(a) and (b)</a>	During the period beginning September 15 and ending September 25, the Clerk shall prepare an interim list of changes to the Voters' List and give a copy to each certified Candidate and to each person who received a copy of the Voters' List under s.23.
<a href="#">s.27(2)(a) and (b)</a>	The Clerk shall within 30 days (November 23, 2022) after Voting Day prepare a final list of the changes to the Voters' List and give a copy to MPAC.
<a href="#">s.28</a>	The Clerk shall prepare and certify the Voters' List for use in each voting place.
<b>Nominations</b>	
<a href="#">s.11.1(4)</a>	The upper-tier Clerk responsible for accepting nominations can determine the format in which to send the names of Candidates to lower-tier Clerk.
<a href="#">s.32</a>	The Clerk shall give notice of the offices for which persons may be nominated and the nomination procedure under this act.
<a href="#">s.33(1.3)</a>	The Clerk is entitled to rely upon the information filed by the Candidates (endorsements).

<a href="#">s.33(6)</a>	The Clerk may provide for electronic filing under this section and may establish conditions and limits with respect to electronic filing.
<a href="#">s.35(2) and (3)</a>	The Clerk shall certify the nomination of qualified persons, and reject the nomination if not satisfied the person is qualified.
<a href="#">s.35(4)</a>	The Clerk can determine the form and method of giving notice when a nomination is rejected and shall give notice to the person who sought to be nominated and to all Candidates for the office, as soon as possible.
<b>Acclamations</b>	
<a href="#">s.37(1) and (2)</a>	The Clerk can determine the method of declaring acclamations.
<b>Ballot Form</b>	
<a href="#">s.41(2)3</a>	The Clerk can agree to permit another name that a Candidate uses to appear on the ballot.
<a href="#">s.41(2)5</a>	If the surnames of two or more Candidates for an office are identical or in the Clerks opinion so similar as to cause possible confusion, the Clerk shall differentiate the Candidates on the ballots as the Clerk considers appropriate.
<a href="#">s.41 (3)</a>	The Clerk shall change some or all of the ballots to facilitate voting by the visually impaired without assistance.
<a href="#">s.41(4)</a>	The Clerk can decide to use separate or composite ballots.
<b>Voting or Vote Counting Equipment or Alternative Voting Method</b>	
<a href="#">s.42(3)(a)(i) (ii) and (4)</a>	Where there is a By-Law providing for voting or vote counting equipment or an alternative voting method, the Clerk has discretion in establishing forms and procedures for carrying out the intent of the By-Law, subject to 42(4). Deadline for procedures is June 1 in the year of the election.
<a href="#">s.42(3)(b)</a>	The Clerk can determine the method for providing a copy of the procedures and forms to Candidates and shall provide a copy of the procedures and forms to each Candidate when his or her nomination is filed.

<b>Advance Vote</b>	
<a href="#">s.43(2) and (3)</a>	The Clerk shall establish the date or dates, number, location and hours of Advance Voting, but shall not be more than 30 days before Voting Day.
<a href="#">s.43(5)(b) (ii)</a>	The Clerk determines how to keep safe any Advance Vote ballot boxes and all other material and documents relating to the Advance Vote.
<a href="#">s.43(6) and (7)</a>	The Clerk determines the method of updating Voters' Lists to reflect Advance Voting and ensures that the Voters' Lists for all voting places are updated to reflect voting that took place at an advance vote. The Clerk shall determine how to provide the updated list of advance voters to those entitled to receive it.
<b>Proxies</b>	
<a href="#">s.14(1) and (2)</a>	The Clerk may provide for electronic filing of the proxy form.
<a href="#">s.44(7)</a>	The Clerk may determine what is required to verify that persons are qualified to appoint and be appointed as a voting proxy and if satisfied that the person who appointed the voting proxy is entitled to do so, and that the person appointed is entitled to act as the voting proxy, shall apply a certificate in the prescribed form to the appointing document.
<b>Voting Places and Procedures</b>	
<a href="#">s.45(1), (3), (4) and (5)</a>	The Clerk has discretion in identifying the number and location of voting places and designating the area.
<a href="#">s.45(2)</a>	In establishing the locations of voting places, the Clerk shall identify strategies that ensure that each voting place is accessible to electors with disabilities.
<a href="#">s.45(7)1, 2 and 3</a>	A voting place shall be located in an institution for the reception, treatment or vocational training of members or former members of Canadian Forces; an institution which on September 1st 20 beds or more are occupied by persons who are disabled; chronically ill or infirm; and in a retirement home which on September 1st, 50 beds or more are occupied.
<a href="#">s.45(8)</a>	The Clerk may issue instructions to Deputy Returning Officer (DRO) regarding attending on an elector in an institution or retirement home to allow them to vote.

<a href="#">s.45(9)</a>	The Clerk shall issue instructions to DRO's regarding attending on electors with a disability, including mobility impaired, anywhere within the defined voting place.
<a href="#">s.46(2)</a>	The Clerk may establish specific voting places to open on Voting Day before 10:00 am.
<a href="#">s.46(3)</a>	The Clerk may establish reduced voting hours for a voting place that is only for the use of residents of the institution or retirement home.
<a href="#">s.47(1)(a)</a>	The Clerk has the discretion to go to or remain in voting places during voting or when votes are being counted.
<b>Accessibility</b>	
<a href="#">s.12.1</a>	The Clerk shall have regard to the needs of electors and Candidates with disabilities.
<a href="#">s.12.1(2)</a>	The Clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before Voting Day in a regular election.
<a href="#">s.12.1(3)</a>	Within 90 days (January 23, 2023) after Voting Day in a regular election, the Clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and Candidates with disabilities.
<a href="#">s.41(3)</a>	The Clerk shall change some or all of the ballots to facilitate voting by the visually impaired without assistance.
<a href="#">s.45(2)</a>	In establishing the locations of voting places, the Clerk shall identify strategies that ensure that each voting place is accessible to electors with disabilities.
<b>Emergency</b>	
<a href="#">s.53(1)</a>	The Clerk has discretion in determining what constitutes an emergency or circumstances that will undermine the integrity of the election.
<a href="#">s.53(2)</a>	The Clerk has discretion in a declared emergency to make any arrangements deemed necessary for the conduct of the election.
<a href="#">s.53(4)</a>	The Clerk determines when the emergency has passed.

<b>Counting Votes</b>	
<a href="#">s.55(3)</a>	The Clerk shall determine the results of the election by compiling the statements of results received from the DRO.
<a href="#">s.55(4)</a>	The Clerk shall, as soon as possible after Voting Day, declare the elected Candidate(s) and the result of the vote on any By-Law or question.
<a href="#">s.55(4.1)</a>	As soon as possible after Voting Day, the Clerk shall make information available on number of votes for each Candidate, number of declined and rejected ballots, number of votes (yes or no) on a By-Law or question.
<a href="#">s.55(5)</a>	The Clerk, in the presence of the DRO, can decide to open a ballot box to assist with interpreting the statement of results.
<b>Recounts</b>	
<a href="#">s.56(1)(1.1) and (2)</a>	The Clerk shall hold a recount in accordance with policy within 15 days after declaration of results.
<a href="#">s.59</a>	The Clerk may decide to include other Candidates for an office in a recount.
<a href="#">s.61(1)1</a>	The Clerk may be present at a recount in the case of a tie vote, or any policy passed, when the Council, Board or Minister requires a recount and when the Ontario Superior Court of Justice orders a recount – s.56,57,58,6.
<a href="#">s.61(2)1</a>	The Clerk may be present at a recount for a By-Law or question.
<a href="#">s.61(6)</a>	The Clerk determines disputes concerning the validity of a ballot or the counting of votes in a ballot.
<a href="#">s.61(7)</a>	The Clerk may permit others to be present at a recount.
<a href="#">62(3) and s.63(10)</a>	If the recount leaves two Candidates tied, the Clerk shall choose the successful Candidate by lot.
<b>By-Elections</b>	
<a href="#">s.65(4)1</a>	The Clerk sets the date of Nomination Day, in the case of a by-election.

<a href="#">s.65(5)1</a>	The Clerk sets the date of voting if the by-election relates to a question or By-Law.
<b>Financial Reporting</b>	
<a href="#">s.33.0.1(1)</a>	The Clerk determines the form of the preliminary certificate of maximum campaign expenses, upon the filing of a person's nomination and shall give the person, or their Agent filing the nomination for the person, a certificate of the applicable maximum amount as of the filing date.
<a href="#">s.33.1</a>	The Clerk shall, before Voting Day, give notice of the penalties under s.88.23(2) and s.92(1) related to election campaign finance to each person nominated for an office.
<a href="#">s.88.20(13)(a) and (b)</a>	The Clerk determines the form and method of delivery of the certificate of maximum campaign expenses. The Clerk shall calculate the maximum amounts permitted by subsections 6 (Candidate expenses) and subsection 9 (expenses, parties etc.) for each office for which nominations have been filed and shall give a Certificate of the applicable amounts to each Candidate on or before September 26 in a regular election, and within 10 days after the clerk makes the required corrections in the case of a by-election.
<a href="#">s.88.23(3)</a>	The Clerk determines the form and process of the notice of default.
<a href="#">s.88.25(9)</a>	The Clerk determines the form and method of delivery of notice to Candidates of the campaign expense filing requirements and shall give notice at least 30 days before the filing date.
<a href="#">s.88.25(11)</a>	The Clerk may provide for electronic filing of Candidate Financial Statements and may establish conditions and limits with respect to electronic filing.
<b>Election Records</b>	
<a href="#">s.88(1)</a>	The Clerk shall determine where the ballots and all other documents and materials related to an election will be retained for 120 days after declaring the results of the election under section 55 and determine the appropriate security requirements.
<a href="#">s.88(2)(a) and (b)</a>	When the 120-day period has elapsed, the Clerk shall destroy the ballots and may destroy other documents and materials related to the election.

<a href="#">s.88(4)</a>	The Clerk shall retain the Financial Statements until the elected Candidates in the next election have taken office.
<a href="#">s.88(9.1)</a>	The Clerk shall make the documents filed under s.88.25, 88.29 and 88.32 available at no charge for viewing by the public on a website or in another electronic format as soon as possible after the documents are filed.
<b>Third Party Advertisers</b>	
<a href="#">s.88.6(1)</a>	The Clerk may provide for electronic filing of registration of Third-Party Advertisers.

# COMPLIANCE AUDITS

A compliance audit is an audit of a Candidate's election campaign finances and his / her compliance with the provisions of the *Municipal Elections Act, 1996*.

## **Establishment of Compliance Audit Committee (*MEA, s.88.37*)**

All municipal Councils and local boards must appoint a Compliance Audit Committee. This committee must be appointed before October 1 of an election year and be composed of 3 to 7 members. In 2022, October 1 lands on a Saturday, and therefore to meet this requirement of "before October 1", the Committee is to be established by Friday, September 30, 2022.

Under the *MEA*, the following individuals are ineligible for application to the Committee:

- Employees or officers of the municipality or local Board
- members of the Council or local Board;
- any Candidates / Registered Third Party in the election.

The term of office for the Committee (including members) is the same as the term of office of the Council or local Board; the Committee will be in place for any by-elections that occur during the term. The Council or local Board is responsible for paying all costs in relation to the Committee's operation and activities.

## **Role of Compliance Audit Committee (*MEA, s.88.33, s.88.34, s.88.36, s.88.37*)**

The role of the Compliance Audit Committee (CAC) is to receive and make decisions on applications for Compliance Audits of Candidates' and Registered Third Party election campaign finances and any by-elections during a Council's term. The CAC is also responsible for reviewing reports submitted to the CAC by the Clerk with respect to any contributor who appears to have contravened any of the contribution limits to a Candidates' election campaign or to a Registered Third-Party election campaign. The powers and functions are in accordance of the *MEA*.

An elector, who is entitled to vote in an election and believes on reasonable grounds that a Candidate or a Registered Third Party has contravened a provision of the *MEA* relating to



election campaign finances, may apply for a Compliance Audit of the Candidate's / Registered Third Party campaign finances.

An application for a Compliance Audit by an elector is submitted to the Clerk in writing outlining the reasons for the elector's belief.

The objective of the CAC is to ensure that the provisions of the *MEA* are not contravened and to follow the necessary steps to ensure compliance.

The committee shall have the authority:

- to grant or reject a Compliance Audit application,
- advise the applicant of the Committee's reason in writing if the application is rejected,
- to appoint an Auditor to conduct a Compliance Audit of a Candidate's election campaign finances where the application is granted and receive the results (Auditor's Report),
- to commence legal proceedings against the Candidate or a Registered Third Party for any apparent contravention within 30 days of receiving the Auditor's Report;
- recommend to Council whether or not to pursue the recovery of the costs of conducting the Compliance Audit from the applicant if the Auditor's Report indicates there were no apparent contraventions and if it appears there was no reasonable ground for application.

### **Application for Audit by an Elector (*MEA*, s.88.33, s.88.34)**

A Compliance Audit can be requested by an elector who:

- is entitled to vote in an election; and
- believes on reasonable grounds that a Candidate has contravened the *MEA* relating to election campaign finances;

by filing a written application with the Clerk of the municipality or the secretary of the local Board, as applicable, setting out the reasons for the elector's belief.

The application must be made within 90 days after the latest of the following:

- the filing date under s.88.30 (March 31, 2023);
- the date the Candidate filed a Financial Statement, if the Statement was filed within 30 days after the applicable filing date under s.88.30 (up to May 1, 2023);
- the Candidate's supplementary filing date, if any, under s.88.30;
- the date on which the Candidate's extension, if any, under s.88.23(6) expires.

Within 10 days of receiving the application, the Clerk of the municipality or secretary of the local Board shall forward the application to the Compliance Audit Committee (CAC). There is no requirement within the *MEA* to provide a copy to the Council or local Board. The CAC is to consider the application within 30 days of receipt and decide whether it is granted or rejected. The CAC meeting is to be open to the public and reasonable notice of the meeting given to the Candidate, Applicant and the public.

The decision to grant or reject the application and a brief written reason for the decision is to be given to the Candidate, the Clerk where the Candidate filed their nomination, the secretary of the local Board (if applicable) and the Applicant. The decision of the CAC may be appealed to the Superior Court of Justice within 15 days after the decision is made and the Court may make any decision the Committee could have made.

If the CAC decides to grant the application, it shall appoint an Auditor to conduct a Compliance Audit of the Candidate's election campaign finances. Only Auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed.

The auditor shall:

- promptly conduct an audit of the Candidate's election campaign finances to determine whether he or she has complied with the *MEA* relating to the election campaign finances;
- have access, at all reasonable hours, to all relevant books, papers, documents or things of the Candidate and of the municipality or local Board;
- have the powers of a Commissioner under s.33 of the *Public Enquiries Act*,
- determine whether the Candidate has complied with the provisions of the *MEA* as they relate to election campaign finance;
- prepare a report outlining any apparent contravention by the candidate; and
- submit a report to the:
  - i. Candidate;
  - ii. Clerk with whom the nomination papers were filed;
  - iii. Secretary of the local Board (if applicable); and
  - iv. Applicant.

Within 10 days of receiving the Auditor's Report, the Clerk of the municipality or secretary of the local Board shall forward the report to the CAC.

The CAC shall consider the report from the Auditor within 30 days of receipt and if the report concludes that the Candidate appears to have contravened a provision of the *MEA* related to election campaign finances, the CAC shall decide whether to commence a legal proceeding against the Candidate.

No action or other proceeding for damages can be instituted against an Auditor appointed by the CAC for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith.

### **Review of Candidate Contributions by Clerk**

The Clerk now has the responsibility for reviewing the contributions reported on the Financial Statements submitted by a Candidate to determine whether any contributor appears to have exceeded any of the contribution limits.

As soon as possible following the 30 days after the filing date (May 2, 2023), or supplementary filing date (September 29, 2023), the Clerk shall prepare a separate report which identifies each contributor to a Candidate for office on Council who appears to have contravened any of the contribution limits under *MEA*, s.88.9; and:

- if the contributor's total contributions to a Candidate for office on Council appear to exceed the limit under s.88.9, the report shall set out the contributions made by that contributor to the Candidate; and
- if the contributor's total contributions to two or more Candidates for office on the same Council appear to exceed the limit under s.88.9, the report shall set out the contributions made by that contributor to all Candidates for office on the same Council.

The Clerk shall forward each report to the CAC and, within 30 days of receiving the report, the CAC shall consider the report and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

The same provisions apply to a Candidate for office on a local Board with the exception that the Clerk is to forward each report to the secretary of the local Board and within 10 days of receiving the report, the secretary of the local Board shall forward to the CAC.

The CAC meeting is open to the public and reasonable notice is to be given to the contributor, the applicable Candidate and the public.

The decision of the CAC and brief written reasons for the decision are to be given to the contributor and to the Clerk of the municipality or the secretary of the local Board. No action or other proceeding for damages can be instituted against an Auditor appointed by the CAC for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith.

A person can still lay a charge or take any other legal action, at any time, with respect to an alleged contravention of a provision of the *MEA* relating to contribution limits.

## **Compliance Audit of Registered Third Parties** **(*MEA*, s.88.35, s.88.36)**

### **Application for Audit by an Elector**

A Compliance Audit can be requested by an elector who:

- is entitled to vote in an election; and
- believes on reasonable grounds that a Registered Third Party in relation to the election in the municipality has contravened a provision of the *MEA* relating to campaign finances.

By filing a written application with the Clerk of the municipality where the Third Party registered a setting out the reasons for the elector's beliefs.

The application must be made within 90 days after the latest of the following:

- the filing date under *MEA*, s.88.30 (March 31, 2023);
- the date the Registered Third Party filed a Financial Statement, if the Statement was filed within the 30 days after the applicable filing date under *MEA*, s.88.30 (up to May 1, 2023);
- the supplementary filing date, if any, for the Registered Third Party under *MEA*, s.88.30; and
- the date on which the Registered Third Party's extension, if any, under *MEA*, s.88.27(3) expires.

Within 10 days of receiving the application, the Clerk of the municipality or secretary of the local Board shall forward the application to the Compliance Audit Committee (CAC).

There is no requirement within the *MEA* to provide a copy to the Council or local Board.

The CAC is to consider the application within 30 days of receipt and decide whether it is

granted or rejected. The CAC meeting is to be open to the public and reasonable notice of the meeting given to the Registered Third Party, Applicant and the public.

The decision to grant or reject the application and a brief written reason for the decision is to be given to the Registered Third Party, the Clerk where the Registered Third Party filed their registration, the Secretary of the local Board (if applicable) and the Applicant.

The decision of the CAC may be appealed to the Superior Court of Justice within 15 days after the decision is made and the Court may make any decision the committee could have made. If the CAC decides to grant the application, it shall appoint an Auditor to conduct a Compliance Audit of the Registered Third-Party election campaign finances. Only Auditors

licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed.

The Auditor shall:

- promptly conduct an audit of the Registered Third-Party election campaign finances to determine whether they have complied with the *MEA* relating to the election campaign finances;
- have access, at all reasonable hours, to all relevant books, papers, documents or things of the Candidate and of the municipality or local Board;
- have the powers of a commission under s.33 of the *Public Enquiries Act*;
- determine whether the Registered Third Party has complied with the provisions of the *MEA* as they relate to election campaign finance;
- prepare a report outlining any apparent contravention by the Registered Third Party; and
- submit a report to the:
  - i. Registered Third Party;
  - ii. Clerk with whom the third party registered;
  - iii. Secretary of the local Board (if applicable); and
  - iv. Applicant.

Within 10 days of receiving the Auditor's Report, the Clerk of the municipality or Secretary of the local Board shall forward the report to the CAC.

The CAC shall consider the report from the Auditor within 30 days of receipt and if the report concludes that the Registered Third Party appears to have contravened a provision of the *MEA* related to election campaign finances, the CAC shall decide whether to commence a legal proceeding against the Candidate.

No action or other proceeding for damages can be instituted against an Auditor appointed by the CAC for any act done in good faith in the execution or intended execution of the Audit or for any alleged neglect or default in its execution in good faith.

### **Review of Registered Third-Party Contributions by Clerk**

The Clerk is to review the contributions reported on the Financial Statements of the Registered Third Party to determine whether any contributor appears to have exceeded any of the contribution limits.

As soon as possible following the day that is 30 days after the filing date (May 1, 2023) or supplementary filing date (September 29, 2023), the Clerk shall prepare a separate report

identifying each contributor to the Registered Third Party who appears to have contravened any of the contribution limits; and:

- if the contributor's total contributions to a Registered Third Party appear to exceed the limit, the report shall set out the contributions made by the contributor to the Registered Third Party in relation to third party advertisements; and
- if the contributor's total contributions to two or more Registered Third Parties exceed the limit, the report shall set out the contributions made by that contributor to all Registered Third Parties in the municipality in relation to Third Party advertisements.

The Clerk shall forward each report to the Compliance Audit Committee and within 30 days of receiving a report, the CAC shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

The same provisions apply to a Candidate for office on a local Board with the exception that the Clerk is to forward each report to the Secretary of the local Board and within 10 days of receiving the report, the secretary of the local Board shall forward to the CAC.

The meetings of the CAC are open to the public and reasonable notice is to be given to the contributor, the Registered Third Party and the public.

The decision of the CAC and brief written reasons for the decision shall be given to the contributor and to the Clerk of the municipality.

A person can still lay a charge or take any other legal action, at any time, with respect to an alleged contravention of a provision of the *MEA* relating to contribution limits.

### **Steps to Apply for a Compliance Audit**

1. Electors who wish to apply for a Compliance Audit must pick up an application form from the Clerk's Office at Town Hall, 100 Deep River Road, Deep River. All Financial Statement information will be posted to the Town's election website: [www.deepriver.ca](http://www.deepriver.ca).
2. The application for a Compliance Audit must include:
  - Notice that the applicant is eligible to vote as an elector in the municipality;
  - The applicant's name and contact information, including mailing address, telephone number and email address (if applicable);
  - Name of the Candidate or Registered Third Party whose election finances are being questioned and the office they were seeking in the election;
  - The reasons the Applicant believes the Candidate or Registered Third Party has contravened the provisions of the *Municipal Elections Act, 1996* relating to municipal

- election campaign finances;
  - Any other relevant information;
  - The date the application is submitted to the Municipal Clerk;
  - The Applicant's signature.
3. The request for a Compliance Audit must be mailed or delivered in a sealed envelope marked "**Private and Confidential**" to:

Clerk  
Town of Deep River  
100 Deep River Road  
P.O. Box 400  
Deep River, ON  
K0J 1P0

The Clerk will forward applications that are complete to the Election Compliance Audit Committee for their consideration within 10 days of receiving them.

# COUNT PROCEDURES

The Clerk, at 8:00 PM on October 24<sup>th</sup>, 2022, shall arrange for the close and deactivation of the telephone and internet voting at the Voting Centre.

Notwithstanding the above, the Clerk of the municipality shall keep the Voting Centre access open until the Clerk has confirmed that all eligible voters in the Voting Centre at 8:00 PM have completed voting.

The Clerk shall then request the election results from the Service Provider, to be sent by email to the following Receiving Location: Clerk's Office (second floor), Deep River Town Hall, 100 Deep River Road.

The Clerk shall report the "unofficial" results as soon as possible after 8:00 PM on Monday, October 24, 2022 and shall post the results on the municipality's website.

As soon as possible after Voting Day the Clerk shall declare the "Official" results using the "*Declaration of Election Candidates*" Form EL32 and post the results on the Town website.

The declaration must include:

- The total number of votes received by each Candidate;
- The total number of declined and rejected ballots; and
- The total number of votes cast in the affirmative and the negative for a by-law or question on the ballot (if applicable).

## **Recount Procedures (MEA, s.56, s.57, s.58, s.60(1))**

A recount shall be conducted in the same manner as the original count under Sec. 60 (1) unless ordered otherwise by a judge under Sec. 60 (3).

A recount is required after the declaration of results when:

- there is a tie vote for the election of a Candidate to an office
- the votes for the affirmative and negative on a by-law are equal
- the votes for two or more answers to a question are equal
- by order of the Minister (for questions submitted by the Minister)
- by order of the Superior Court of Justice



A recount for internet and telephone voting shall be done by requesting from the Service Provider a re-tabulation of the votes cast to be conducted in the same manner as the original vote tabulation. The Clerk shall re-issue the Vote Count Summary Report indicating the results and votes cast, as per processes established by the Internet Voting provider.

The Service Provider shall send the results of the recount by e-mail, along with any documentation, if required, to support the integrity, security and accuracy of the Voting System, and these results will be compared to the results tabulated by the Auditor assigned to the election. Upon completion of the recount, the Clerk will announce the results of the recount.

In the case of a tie vote, as provided under Section 56 of the *Municipal Elections Act, 1996*, the Clerk shall require Simply Voting Inc. to provide a re-tabulation of the votes cast.

Pursuant to Subsection 56(2) of the *Municipal Elections Act, 1996* the recount shall be held within fifteen (15) days after the Clerk's declaration of the results of the election, and therefore the recount shall occur on or before November 8, 2022 at the Receiving Location.

At the precise hour designated for the recount, the Clerk shall re-tabulate the results for the contest(s) that are subject to the recount procedure and publish the results of the recount.

Upon receipt of the final results of the recount, the Clerk shall announce the results of the recount and in the event of a tied vote, Subsection 63(10) of the *Municipal Elections Act, 1996* shall apply, being as follows:

*"If the recount indicates that two or more candidates who cannot both or all be declared elected to an office have received the same number of votes, the clerk shall choose the successful candidate or candidates by lot".*

In the event that a tied vote occurs after the recount, the following procedure shall be used and applied:

- The Clerk shall determine the paper used for this process and each Candidate will have an opportunity of examining the paper to be used to inscribe the names of the Candidates;
- The Clerk shall print the name of each Candidate on equal size paper and the Candidate may examine the same. The writing of each name shall be clear and concise. In addition, all persons present will have an opportunity of examining the box which will be used for conducting the lot;

- The Clerk shall fold the papers bearing each Candidate's name and shall deposit these papers, in full view of all persons present and authorized to attend, in an open-end box. The Clerk shall determine the box to be used for this process.
- Once all Candidate's names are inserted into the box, the top of the box shall be closed. The Clerk may select another Election Official to draw from the box and shall shake the closed box vigorously. Before opening the box, the Clerk shall state that "the Candidate to be elected shall be the Candidate whose name is written on the first piece of paper drawn out of the box." The paper is pulled from the box and the Candidate elected is announced.
- At the Clerk's direction, the individual drawing from the box shall reach in and pull out one (1) piece of paper at a time for each office to be filled. When a piece of paper is drawn, the individual shall unfold it and show the name on it to all in attendance and say the name aloud.
- Once completed, the person appointed by the Clerk shall remove the remaining contents from the box and provide an opportunity for all persons present to examine the remaining slips of papers and the box.

**Notification Of Recount Date, Time, Place  
(Sections 56, 57, 58 and O. Reg. 101/97)**

The Clerk shall give notice of the recount date, time and place on "*Notice of Recount*" Form EL39 to the following:

- all certified Candidates for the office which is the subject of the recount;
- where a resolution is involved, the Council or local / School Board which passed the resolution;
- the Minister when an order has been made;
- the applicant in the case of a court order;
- in the case of a recount concerning an office, by-law or question in respect of which electors of another municipality are entitled to vote, the Clerk who was responsible for the conduct of the vote in the other municipality;
- notice of recount will be given by registered mail or personal service.

## **Application To Superior Court of Justice (Section 58(1))**

A person who is entitled to vote in an election and who has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order that the Clerk to hold a recount.

The application must be commenced within 30 days after the Clerk's official declaration of the results under subsection 55(4).

The court, if satisfied there are sufficient grounds, shall make an order requiring the Clerk to hold a recount. The recount is to be held within 15 days after the Clerk receives a copy of the order.

## **Persons Entitled to Be Present at Recount (Section 61)**

- the Clerk and any other Election Official appointed to assist with the recount;
- every certified Candidate for the office involved;
- the applicant, in the case of a recount ordered under section 58;
- legal counsel for any of the above;
- where the recount applies to a by-law or question, the Clerk and any other Election Official appointed for the recount;
- any other person may be present with the Clerk's permission.

## **Notice Of Final Certified Results (Section 62 (4))**

Unless an application has been made for a judicial recount, the Clerk, on the 16th day after the recount is completed, will declare the successful Candidate or Candidates elected, or will declare the result of the vote with respect to a by-law or a question by posting the "*Declaration of Recount Results*" Form EL41 at the Municipal Office and on the Town web site.

# CORRUPT PRACTICES

## Offences, Penalties and Enforcement (Section 89 - 94)

The principles and the integrity of the election process are enforceable. Although the Municipality will be using an alternative voting method (Internet / Telephone), the principles and integrity of the election process will remain and are enforceable.

The *Municipal Elections Act* provides for penalties and enforcement of corrupt practices and other offences during an election process. A person who contravenes any provision of the *MEA* or a regulation or a By-Law passed by the municipality under the authority of the *MEA* is guilty of an offence. Penalties can include a fine of up to \$25,000, forfeiture of office, ineligibility to run for office in the following election, and / or imprisonment up to six (6) months.

The *MEA* sets out a series of different penalties which may be applied depending on the offence / corrupt practice, and depending on whether it was perpetrated by an individual, corporation, Registered Third Party, or Candidate. These penalties range from fines, to elected office forfeiture, to ineligibility to run in the next municipal election, to imprisonment.

Offences detailed in the *MEA* include:

- voting without being entitled to do so;
- voting more times than the *MEA* allows;
- voting in a voting place in which they are not entitled to vote;
- inducing or getting a person to vote when that person is not entitled to do so;
- publishing a false statement of a Candidate's withdrawal before or during an election;
- providing false or misleading information to a person authorized to obtain information under the *MEA*;
- without authority, supplying a ballot to anyone;
- attempting to do any of the above.

The most serious offences under the *MEA* are known as "Corrupt Practices" which include:

- Committing any offence as described above knowingly
- Bribery
- Knowingly miscounting the votes
- Knowingly preparing a false statement of votes
- A Clerk or Election Official who willfully fails to perform a duty imposed on them by the *MEA*

- The Superior Court of Justice will not declare an election to be invalid if irregularities do not affect the result of the election and the election was conducted in accordance with the principles of the *MEA*. Irregularities on the part of the Clerk are similarly protected.

No person shall directly or indirectly,

- offer, give, lend, or promise or agree to give or lend any valuable consideration, in connection with the exercise or non-exercise of an elector's vote;
- advance, pay or cause to be paid money intending that it be used to commit an offence, or knowing that it will be used to repay money used in that way;
- give, procure or promise or agree to procure an office or employment in connection with the exercise or non-exercise of an elector's vote;
- apply for, accept or agree to accept any valuable consideration or office or employment in connection with the exercise or non-exercise of an elector's vote;
- give, procure or promise or agree to procure an office or employment to induce a person to become a candidate, refrain from becoming a Candidate or withdraw his or her candidacy;
- offer, give, lend, or promise or agree to give or lend any valuable consideration in order to induce a person to become a Candidate, refrain from becoming a Candidate or withdraw his or her candidacy.
- Deal with a PIN, without having authority to do so;
- No person(s) shall solicit a Voter Information Letter / Voter Kit / Ballot, containing a PIN, from an eligible elector;
- No person shall contravene any provision of the *Act* or a regulation under the *Act* or a By-Law passed by a municipality under the *Act*;
- Attempt to do something described above.

Although many provisions of the *Municipal Elections Act, 1996*, also deal with voting places, ballots and ballot boxes, etc., the same must be used interchangeably with the "alternative form" of voting since the principles of the *Act* must be maintained and are therefore enforceable and subject to penalties.

The *Criminal Code of Canada* states that tampering with the mail of an individual is a criminal offence and a person found guilty is liable to a term of imprisonment not exceeding ten (10) years. Since The Municipality's election methods rely on delivery of the VIL to eligible electors in order to allow those electors to exercise their right to vote, any instance or substantiated account of mail tampering will be taken very seriously and reported to the authorities.

As such, the Clerk in this alternative form of voting has agreed that all complaints about actions which may contravene the provisions of the *Municipal Elections Act, 1996* either verbally or written, will be reviewed by the Clerk and, if viewed by the Clerk to be valid and not frivolous the following will apply:

- All complaints submitted in writing about actions which may contravene the provisions of the *Municipal Elections Act, 1996*, will be considered by the Clerk;
- All such valid complaints submitted in writing, once deemed by the Clerk to be substantiated, will be submitted to the appropriate authorities;
- The Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.
- The most senior officer of the Police will be advised that all such valid complaints will be turned over to his / her office for further investigation.

## **Secrecy**

The Returning Officer and the Deputy Returning Officers take an oath committing to upholding the secrecy provisions established in Section 49 of the *Act*.

All complaints regarding any breaches of secrecy shall be documented by the Election Official as well as questions and answers of the complainant, and, if deemed appropriate, the Clerk shall submit same to the Police for further investigation and prosecution.

No person shall interfere or attempt to interfere with an elector while in the process of accessing the Telephone / Internet Voting Service, or interfere or attempt to interfere in the voting process while using the Telephone / Internet Voting Service unless expressly requested and authorized by an elector to provide assistance.

No person shall obtain or attempt to obtain information about how an elector intends to vote or has voted. Any individual requested by an elector to assist him or her in voting is required to maintain the secrecy of the vote(s) cast by the elector and if marking the ballot on behalf of the elector shall vote according to the instructions and wishes of the elector.

No elector shall reveal how they intend to vote while in a Voter Assistance Center except for the purposes of obtaining assistance in voting from either a friend or an Election Official. Any other person present must withdraw until the voter finishes instructing the friend or Election Official, as the case may be.

No person shall communicate any information that might have been inadvertently obtained about how an elector intends to vote or has voted.

All electors voting at a Voter Assistance Centre may vote with the assistance of a friend. However, the friend shall be required to take the appropriate oath (Form EL27) prior to

providing assistance. No person shall be allowed to act as a friend of more than one voter at a Voter Assistance Centre.

All complaints regarding breaches of secrecy may be investigated by the proper authorities and may be prosecuted according to the provisions of “Offences, Penalties and Enforcement” under sections 89 through 94 of the *Municipal Elections Act, 1996*.

## **Offences, Penalties and Corrupt Practices (MEA, s.89-94)**

If an eligible elector wishes to dispute the validity of an election, they may submit an application to the Ontario Superior Court of Justice within 90 days (January 23, 2023) of the election.

### **Penalties General Penalty – Individual**

An individual who is convicted of an offence under this *Act* is liable to the following penalties in addition to any other penalty provided for in this *Act*:

1. For any offence, a fine of not more than \$25,000.
2. For any offence other than a corrupt practice, the penalties described in subsection 88.23 (2) and 88.27 (1).
3. For an offence under section 90, imprisonment for a term of not more than six months.
4. For any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than six months. 2009, c. 33, Sched. 21, s. 8 (68); 2016, c. 15, s. 70.

### **Corporation or Trade Union**

A corporation or trade union that is convicted of an offence under this *Act* is liable to a fine of not more than \$50,000 in addition to any other penalty provided for in this *Act*. 2009, c. 33, Sched. 21, s. 8 (68).

### **Elector**

A person who commits a corrupt practice is, on conviction, disqualified from voting at an election until the next regular election has taken place after the election to which the offence relates, in addition to being liable to any other penalty provided for in the *Act*.

### **Candidate**

If a person is convicted of a corrupt practice under this *Act*, or of an offence under the *Criminal Code* (Canada) in connection with an act or omission that relates to an election to which this *Act* applies, then, in addition to any other penalty provided for in this *Act*,

- (a) any office to which the person was elected is forfeited and becomes vacant; and
- (b) the person is ineligible to be nominated for, or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates. 2009, c. 33, Sched. 21, s. 8 (61).

However, if the presiding judge finds that the person committed the corrupt practice or offence under the *Criminal Code* (Canada) without any intent of causing or contributing to a false outcome of the election, clause (b) does not apply. 2009, c. 33, Sched. 21, s. 8 (61).

### **Registered Third Party Mail Tampering: Criminal Offence and Prosecution**

Notification of the voting process and how electors can vote will be provided in the Voter Information Letter to electors by Canada Post Letter mail.

The *Criminal Code* of Canada states that tampering with the mail of an individual is a criminal offence and a person found guilty is liable to a term of imprisonment not exceeding ten (10) years. Since The Municipality's election methods rely on delivery of the VIL to eligible electors in order to allow those electors to exercise their right to vote, any instance or substantiated account of mail tampering will be taken very seriously and reported to the authorities.

In order to ensure the integrity and confidence of the voting process for all electors and Candidates, the Clerk in the alternative form of voting agrees to the following rules and regulations:

- All complaints about actions which may contravene the provisions of the *Criminal Code* of Canada with respect to mail tampering, submitted in writing, will be considered by the Clerk;
- All such valid complaints, once deemed by the Clerk to be substantiated, will be submitted to the appropriate authorities;
- The Clerk or any Election Official will not attempt to intervene in the prosecution and may be called to give evidence during prosecution.
- The most senior officer of the Police will be advised that all such valid complaints will be turned over to his / her office for further investigation.



# **ELECTION OFFICIAL**

## **(MEA, S.15(1))**

The *Municipal Elections Act, 1996* authorizes the Clerk to "appoint any other Election Officials for the election, and for any recount the Clerk considers is required".

"Revision Clerk" shall be defined as an Election Official appointed by the Clerk or designate to assist the Clerk in the performance of his or her duties in relation to the conduct of the 2022 Municipal Election.

Goals and Objectives:

To maintain the integrity of the election process and to carry out the election process.

The Clerk / Returning Officer may delegate to a Deputy Returning Officer (DRO) or other Election Official any of the Clerk's powers and duties, including but not limited to the following:

- accepting nominations;
- revising the Preliminary List and Voters' List;
- placing advertisements;
- hiring and training Election Officials.

The Clerk may continue to exercise any of these delegated powers. The delegation of powers must be in writing as per the "Appointment and Oath of Deputy Returning Officer", Form EL10, and the "Appointment and Oath of an Election Official", Form EL11.

Duties and Responsibilities for each position are described below.

### **Deputy Returning Officer**

- authority to amend the Voters' List at the Voting Place to add an Elector, remove an elector's own name and / or correct erroneous information;
- authority to require Electors to provide proof of identity;
- authority to administer the Oral Oath of Secrecy and the Oral Oath or Affirmation of Qualification;
- authority to issue a second ballot to an Elector should an Elector return their first ballot as a cancelled ballot;
- authority to maintain peace and order at the Voting Place by removing anyone who is causing a disturbance.
- Ensure the conduct and integrity of the voting process

- Be familiar with the election forms, oaths, voters' lists, voting location, and relevant Sections of the *Municipal Elections Act, 1996*
- Effectively manage the operation of the voting location, ensuring all required documentation is completed
- Close the voting location at 8:00 PM.
- Determine the eligibility of voters
- Ensure that all eligible voters who request a ballot receive a ballot
- Ensure that the voting place is free of campaign material and is private
- Administer oaths, as required
  - Assist where necessary in the setup of the voting location
  - Assist with the removal of all campaign material in the area surrounding the voting location
  - Ensuring the conduct and integrity of the revision process
  - Determine the eligibility of voters
  - Ensure that all eligible voters who request to be placed on the list of electors are placed on the list of electors
  - Ensure the privacy of elector information at the revision station
  - Welcome voters; ask voters if they have their Voter Information Cards (VICs) and ID
  - Determine whether voters have special needs and provide assistance
  - Direct voters to an available Voting Station
  - Direct voters without ID to the Revision Clerk
  - Assist electors filling out Revision Forms, if required

### **Election official**

- authority to amend the Voters' List to add an Elector, remove an Elector's own name and / or correct erroneous information;
- authority to require a person to furnish proof of identity, qualifications or any other matter.
- authority to approve or deny applications for revision to the Voters' List;
- authority to receive election results as they are reported on Election Day.

# ELECTION RECORDS

## Candidates

Use of electronic or paper versions of the Voters' List, and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All voter information obtained by the Candidate during the 2022 Municipal Election shall be destroyed by the Candidate after the election, either by returning same to the Clerk for destruction with other election material or by deleting it completely from Candidate computer hardware. If records are shared by the Candidates with others (campaign workers) an oath administered by the Candidate, similar to the one taken by the Candidate shall be administered and all shared records shall also be protected and destroyed.

Despite anything in the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), documents and materials filed with or prepared by the Clerk or any other election official under the *Municipal Elections Act, 1996* are public records, and until their destruction (120 days after election results are declared), may be inspected by any person at the Clerk's Office at a time when the office is open. No person shall use information obtained from public records described above, except for election purposes.

## Retention of Election Records (Section 88)

Following a 120 day retention period the Clerk shall destroy any documents and materials related to the 2022 election with the exception of the Candidate and Third-Party campaign Financial Statements. Campaign Financial Statements must be kept by the Clerk until the members of the Council / School Board elected in the 2026 Municipal Elections have taken office.

# EMERGENCIES

(*MEA*, s.53)

Pursuant to Section 53 of the *Municipal Elections Act, 1996*, an emergency shall be declared in the event of any circumstance that in the opinion of the Clerk compromises the integrity and / or execution of the election in accordance with the *Act*. The Authority relates not only to the conduct of the vote but also to any aspect of the election process.

In the event of and upon declaring an emergency the Clerk / Returning Officer shall make such arrangements as he / she considers advisable for the conduct of the election. If the arrangements are consistent with the *Act*, they prevail over anything in the *Act* and the Regulations made under it. If possible, notices regarding the service being disrupted, the reason for the disruption, and its anticipated duration will be posted at Town Hall and advertised on radio, and social media to the extent possible, that the election has been delayed or extended as the case may be. The emergency continues until the Clerk declares that it has ended.

In the event of an emergency, and a decision by the Clerk / Returning Officer, Simply Voting Inc. under direction from the Clerk / Returning Officer, shall stop the Voting System from accepting calls via telephone and connections from the Internet, thus preventing the election from continuing or starting as the case may be, or direct Simply Voting Inc. to extend the voting period past the scheduled end time.

Given the options available to electors to vote from any touch-tone telephone or internet-enabled device with an internet connection, any event that results in one or more voting locations becoming unavailable for use on Voting Day (e.g., flooding, power failure) shall not be sufficient to cause the Clerk to declare an emergency, delay the vote, open a new voting location, or extend the voting hours.

If made in good faith, the Clerk's Declaration of Emergency and related arrangements shall not be reviewed or set aside by a court on account of unreasonableness or supposed unreasonableness.

If required, the Clerk may consider alternate options for the following:

- Reporting results
- Notification of electors
- Election Officials
- Voting Period (delay of Voting Day, extension of voting hours or day(s))
- Help Centres

If any part of the voting for an office is not completed, the results will not be released until the voting for that office is completed.

# FINANCIAL DISCLOSURE

## CANDIDATES

All Candidates (including Candidates who withdrew their nomination, who were not certified and did not appear on the ballot, and who were acclaimed) must file a complete and accurate Financial Statement, in the prescribed form ("*Financial Statement – Auditor's Report*", Form 4), with the Clerk with whom their nomination was filed for a regular election to report campaign expenses during the campaign period, on or before 2:00 PM on the last Friday in March in the year following the regular election (March 31, 2023).

Candidates, whose campaign contributions and total expenses are each equal to or less than \$10,000, are not required to file an Auditor's Report with their Financial Statement.

If a Candidate filed their Financial Statement prior to the filing date of March 31, 2023 for the campaign period ending January 3, 2023, and then noticed an error, they can withdraw the Statement and refile the Financial Statement (and Auditor's Report if applicable) by March 31, 2023.

If a Candidate's election campaign period ends as per paragraph 3 of s.88.24(1), the Financial Statement (and Auditor's Report if applicable) must reflect the Candidate's election campaign finances as of the day the election campaign period ended.

There is a 30-day grace period for those who miss the March 31, 2023 deadline to file a Financial Statement and Auditor's Report. Candidates may still submit their Financial Statement up to 30 days later provided that they pay a \$500 late filing fee to the municipality. The grace period for initial Financial Statements ends at 2:00 PM on May 1, 2023. Candidates do not receive a refund of their nomination fee if they file during the 30-day grace period.

If the Financial Statements required to be filed under s.88.25 are not filed by 2:00 PM on the day that is 30 days (May 1, 2023) after the applicable day for filing the documents, the Clerk shall accept the documents only for the purpose of making the documents available for viewing by the public on the website or in another electronic format as soon as possible after the documents are filed.

**Certificate of Maximum Campaign Expenses**  
**(MEA, s.33.0.1, s.88.20, O. Reg. 101/97)**

**Preliminary Certificate**

At the time they file their nomination, the Clerk shall provide Candidates with a Certificate of the preliminary calculation of the maximum amount of campaign expenses that may be incurred, based upon the number of electors on the Voters' List for the office on September 15 in the 2018 election, with changes made on that day, as calculated according to the formula set out in O. Reg. 101/97.

**Final Certificate**

The Clerk shall, after determining from the Voters' List the number of electors eligible to vote for each office as of September 15, including changes made that day, in the 2022 election calculate the maximum amount of campaign expenses that may be incurred by a Candidate and prepare a Certificate of this amount, based on the formula set out in O. Reg. 101/97. A copy of this final "Certificate of Maximum Campaign Expenses" (Form EL37A) is to be delivered to each Candidate **by registered mail** no later than 10 days after Nomination Day (August 30, 2022).

The higher of the two calculations (preliminary and secondary) shall be the final spending limit for the office.

The Clerk's calculation is final and shall be made in accordance with the prescribed formula in *Ontario Regulation 101/97*.

**Certificate of Maximum Amount of Contributions**

**OWN Campaign**  
**(MEA, s.33.0.2, s.88.91)**

**Preliminary Certificate**

At the time they file their nomination, the clerk shall provide Candidates with a Certificate of the preliminary calculation of the maximum amount of contributions to a Candidate's **Own** campaign according to the formula set out below. The calculation is based on the number of electors from the Voters' List as it existed on September 15, 2018, adjusted for changes made under sections 24 and 25 that were approved as of that day.

The contributions, combined, cannot exceed an amount equal to the lesser of:

The amount calculated by adding:

- i. In the case of a Candidate for the office of head of Council of a municipality, \$7,500 plus 20 cents for each elector entitled to vote for the office, or
- ii. In the case of a Candidate for an office on a Council of a municipality other than the office of head of Council, \$5,000 plus 20 cents for each elector entitled to vote for the office; and \$25,000.

The Clerk's calculation is final.

### **Final Certificate**

After determining from the Voters' List, the number of electors eligible to vote for each office as of September 15, 2022, including changes made that day, the Clerk shall calculate the maximum amount of contributions to a Candidate's own campaign. The greater of this calculation and the calculation made at the time of filing the nomination shall be the maximum amount. A copy of this final Certificate is to be delivered to each Candidate no later than September 26, 2022.

### **Notice of Candidates Financial Disclosure (Section 88.25(9) and 88.29(7))**

At least 30 days before the filing date, but no later than March 1, 2023, the Clerk shall **by registered mail** give every Candidate notice whose nomination was filed:

- the filing requirements of this section; and
- the penalties set out in subsections 88.23(2) and 92(1) of the *MEA*.

The notice shall be given on "*Notice to Candidate of Filing Requirements*" Form EL42.

### **Candidate Filing Default (MEA, 88.20, s.88.23(1), s.88.25, 88.32, 88.31)**

A Candidate is in default of the filing requirements of the *Act* if:

- he or she fails to file a document as required under s.88.25 or 88.32 by the relevant date;
- if a document filed under s.88.25 shows on its face a surplus as described in s.88.31, and the Candidate fails to pay the amount required by s.88.31(4) to the Clerk by the relevant date;
- if a document filed under s.88.25 shows on its face that the Candidate has incurred expenses exceeding what is permitted under s.88.20; or
- if a document filed under s.88.32 shows on its face a surplus and the Candidate fails to pay the amount required by that section to the Clerk by the relevant date.

### **Clerk to Give Notice of Default (MEA, s.88.23(3))**

A “*Notice of Default*” Form EL43(A) shall be given to the candidate by registered mail and to the relevant council or local board in the event that a candidate has not submitted the “*Financial Statement*” Form 4 by 2:00 PM on March 31, 2023 (set by the Minister).

The Clerk is required to notify the Candidate in writing that a default has occurred and the nature of the default. If the Candidate was elected, the Council or local Board is to be notified in writing. The Clerk must also make this information public by issuing a report setting out all Candidates and Registered Third Parties in the election along with an indication of whether each has filed a Financial Statement and Auditor’s Report to be on a website or in another electronic format as soon as possible after May 2, 2023. (Form EL43(A)).

### **Penalties (MEA, S.88.23(2))**

In the case of the defaults noted in the MEA, s.88.23(1):

- the Candidate forfeits any office to which he or she was elected and the office shall be deemed to be vacant, and
- until the next regular election has taken place, the Candidate is ineligible to be elected or appointed to any office to which the *MEA* applies.

A reminder, the penalties related to the late filing of Financial Statements take effect at 2:01 PM on May 1, 2023 (initial Financial Statement), and at 2:01 PM on October 30, 2023 (supplementary Financial Statement). The penalties related to failing to file a document as required under s.88.25 or 88.32 by the relevant date do not take effect if, no later than 2:00 PM on the day that is 30 days after the applicable day for filing the



document, the Candidate files the relevant document as required under s.88.25 or s.88.32 and pays the Clerk a late filing fee of \$500.

### **Electronic Version of Financial Statements (MEA, s.8(9.1), s.88.23)**

The clerk shall make the Financial Statements filed under s.88.25 available for viewing by the public on the Election website as soon as possible after the documents are filed.

### **Nomination Filing Fee Refund (MEA, s.34)**

A Candidate is entitled to receive a refund of their nomination filing fee if he or she files the “Financial Statement - Auditor’s Report”, Form 4 on or before 2:00 PM on March 31, 2023 for the reporting period ending January 3, 2023.

### **Extension of Campaign Period (Section 80 (4), (5), (6))**

A Candidate or Registered Third Party may file for an extension to the campaign period in order to continue to raise money to pay off debt. For further information see Sections 88.23 (6) – (8) for candidates, or Sections 88.27 (3) - (5) for Registered Third Parties.

### **Application by Candidate for Extension of Filing Date (MEA, s.88.23, s.88.25, s.88.32)**

The Candidate may, before the last day for filing a Financial Statement under s.88.25 and s.88.32, apply to the Ontario Court of Justice to extend the time for filing the document. The court may grant an extension of up to 90 days. The Candidate shall notify the Clerk in writing before 2:00 PM on the last day for filing a Financial Statement under s.88.25 and s.88.32 that an application has been made to the Court.

## **Supplementary Reporting Periods / Filing Dates (MEA, s.88.30)**

Supplementary filing dates apply where the election campaign period has been extended.

The supplementary filing dates are:

- i. In the case of a regular election, the last Friday in September in the year following the election (September 29, 2023)
- ii. For a by-election, 30 days after the expiry of the six-month period following the 45th day after Voting Day.

Where a Candidate's campaign period continues, he or she shall file a supplementary Financial Statement (including an Auditor's Report if required) for the supplementary reporting period ending June 30, 2023 on or before 2:00 PM on the last Friday in September, (September 29, 2023). It should be noted that even if a campaign has been extended, a Candidate is required to file their initial Financial Statement for the reporting period ending January 3, 2023. The supplementary Financial Statement includes the information from the initial statement and the financial information from the extended campaign period.

## **Campaign Surplus (MEA, s.88.4(1), s.88.31, s.88.32)**

Where a Candidate's Financial Statement (or supplementary Financial Statement) indicates an election campaign surplus at the end of the campaign period, the entire surplus amount shall be paid to the Clerk at the time of filing and the Clerk shall hold the monies in Trust.

If the Candidate has a surplus, and they or their spouse has made contributions to the campaign, the Candidate may, after the campaign period ends but before filing the Financial Statement or supplementary Financial Statement, refund to the Candidate or spouse an amount that does not exceed the lesser of:

- the relevant contributions;
- the surplus.

If a Candidate notifies the Clerk in writing that he or she is incurring subsequent expenses related to a recount, a Compliance Audit, or controverted election, the Clerk shall return the surplus, with interest to the Candidate.

The surplus becomes the property of the municipality or local Board when all of the following conditions are satisfied:

- the campaign period has ended under paragraph 2,3,4 of s.88.24(1)
- it is no longer possible to recommence the campaign period under paragraph 5, s.88.24(1)
- no recount, proceeding under s.83 (controverted elections) or a Compliance Audit has been commenced
- the period for commencing a recount, a proceeding under s.83 or a Compliance Audit has expired.
- If a Candidate notifies the Clerk in writing that he or she is incurring subsequent expenses related to a Compliance Audit, the Candidate may use the surplus to pay these expenses. However, they can only incur expenses relating to the Compliance Audit and the first reporting period begins on the day after the surplus is returned and ends 90 days later. Each successive period of 90 days is a further reporting period. For each reporting period, the Candidate shall file with the Clerk a Financial Statement in the prescribed form, reflecting their expenses for the reporting period. This Financial Statement must be filed no later than 2 PM on the 10th day after the end of the reporting period.

### **Contributions to the Clerk (MEA, s.88.22(4))**

It is the responsibility of the candidate to ensure that a contribution of money made or received in contravention of the *MEA* or a By-Law passed under the *MEA* is returned to the contributor as soon as possible after the Candidate becomes aware of the contravention.

If the contribution is not returned to the contributor, it is to be paid to the Clerk where the nomination was filed.

An anonymous contribution received in error is also to be paid to the Clerk with whom the Candidate's nomination was filed.

Any contributions paid to the Clerk under these circumstances become the property of the municipality.

## Key Dates

September 26, 2022	Issue the final Certificate of Maximum Campaign Spending Limits to Candidates of the applicable maximum amounts for each office. <ul style="list-style-type: none"> <li>▪ maximum amount of expenses</li> <li>▪ maximum amount of contributions to a candidate’s own election campaign</li> <li>▪ maximum amount for parties, etc. after Voting Day</li> </ul>
January 3, 2023	Campaign period ends. Deadline for Candidates to provide the Clerk with written notification of a deficit and the continuation of their campaign period.
March 1, 2023	Last day to provide Candidates with notice of the filing requirements for their initial Financial Statements.
March 30, 2023	Last day Candidate may apply to Ontario Court of Justice to extend the time for filing their initial Financial Statement.
March 31, 2023	Deadline for filing Financial Statements for reporting period ending January 3, 2023.
May 1, 2023	Last day for Candidate missed the filing deadline can still submit their initial Financial Statement, provided that they pay a \$500 fee the municipality.
June 30, 2023	Supplementary campaign period ends.
August 30, 2023	Last day to provide Candidates with notice of the filing requirements for their Supplementary Financial Statements.
September 28, 2023	Last day Candidates may apply to the Ontario Court of Justice to extend the time for filing their supplementary Financial Statements.
September 29, 2023	Deadline for filing Financial Statements for reporting period ending June 30, 2023.
October 30, 2023	Last day for Candidates who missed the filing deadline can still submit their supplementary Financial Statements, provided that they pay a \$500 late filing fee to the municipality.

## **REGISTERED THIRD PARTIES**

### **Filing Requirements (MEA, s.88.29, s.88.30)**

All Registered Third Parties are required to file a Financial Statement using the prescribed form (Financial Statement – Auditor’s Report – Third Party (Form 8)). Candidates, whose campaign contributions and total expenses are each equal to or less than \$10,000, are not required to file an Auditor’s Report with the Financial Statement.

A Registered Third Party whose campaign contributions exceed \$10,000 or whose total campaign expenses exceed \$10,000, in the municipality, are required to file an Auditor’s Report with the Financial Statement.

The Registered Third Party must file their Financial Statements and Auditor’s Report in the prescribed forms by 2:00 PM on March 31, 2023 for the filing period ending January 3, 2023.

On or before the filing day, if a Candidate filed their Financial Statement, and then noticed an error, they can withdraw the Statement and refile the Financial Statement and Auditor’s Report by March 31, 2023.

Third Party Advertisers also have a maximum amount for parties etc. after Voting Day. For the 2022 elections, the prescribed formula will use the number of electors on September 15, 2018 election. The Clerk is to calculate the maximum amount no later than September 26, 2022. When a Third Party originally registers, the Clerk is to provide a Certificate setting out the maximum amount for parties etc. after Voting Day.

### **Notice of Filing Requirements (MEA, s.88.29)**

The Clerk shall give notice (“Notice to Third Party of Filing Requirements”, Form EL42(B) by registered mail of all of the filing requirements and of the penalties under s.88.27(1) and s.92(4) to every Third Party at least 30 days before the filing date. Before Voting Day, the Clerk is also required under s.33.1 to give notice of the penalties related to election campaign finances.

## **Campaign Period** **(MEA, s.88.28)**

If the Third-Party Advertiser has a deficit at the time the election campaign period would otherwise end and the Third-Party Advertiser has notified the Clerk in writing on or before January 3, 2023, the campaign period is extended until the earliest of:

- June 30, 2023.
- The day the Third Party notifies the Clerk in writing that he, she or it will not accept further contributions.
- The day A equals the total of B and C, where
  - A = any further contributions.
  - B = the expenses incurred during the extension of the campaign period
  - C = the amount of the Registered Third Party's deficit at the start of the election campaign period.

## **Supplementary Reporting Periods / Filing Dates** **(MEA, s.88.30)**

Supplementary filing dates apply where the election campaign period has been extended.

The supplementary reporting period is the 6-month period following the year of the election or in the case of a by- election, the supplementary reporting period is the 6-month period following the 45th day after Voting Day.

Where a Third-Party Advertiser campaign period continues, they shall file a supplementary Financial Statement (including Auditor's Report if required) for the supplementary reporting period on or before 2:00 PM on the last Friday in September (September 29, 2023). It should be noted that even if a campaign has been extended, a Third-Party Advertiser is required to file the initial Financial Statement for the reporting period ending January 3, 2023.

## **Campaign Surplus** **(MEA, s.88.31)**

Where a Third-Party Advertiser's Financial Statement (or supplementary Financial Statement) indicates an election campaign surplus at the end of the campaign period, the entire surplus amount shall be paid to the Clerk at the time of filing and the Clerk shall hold the monies in Trust.

Note: If a Registered Third Party has made contributions to the campaign or, in the case of an individual, if their spouse has made contributions to the campaign, the Candidate or Registered Third Party may, after the campaign period ends but before filing the Financial Statement or supplementary Financial Statement, as the case may be, refund to the Candidate or Registered Third Party or to the spouse, as the case may be, an amount that does not exceed the lesser of the relevant contributions and the surplus.

If the Registered Third Party subsequently incurs expenses related to a Compliance Audit, the Clerk shall pay the amount held in trust, with interest, to the Third Party, *MEA*. s.88.32.

The surplus becomes the property of the municipality / local Board when all of the following conditions are satisfied:

- The campaign period has ended under s.88.28;
- It is no longer possible to recommence the campaign period (s.88.28);
- No Compliance Audit proceeding has been commenced; and
- The period for commencing a Compliance Audit proceeding has expired.

### **Third Party Filing Default (MEA, .88.27(1))**

A Registered Third Party cannot register in relation to a subsequent election in the municipality until after the next regular election has taken place if;

- They did not file their Financial Statement;
- There was a surplus and this surplus was not paid to the Clerk;
- The Financial Statement shows that the Third-Party advertiser exceeded their expense limit; or
- If a document filed under s.88.32 has a surplus and the Third Party registered has not paid the surplus to the Clerk by the relevant date.

### **Notice of Default (MEA, s.88.27(2))**

The Clerk is required to notify the Registered Third Party in writing that a default has occurred and the nature of the default. The Clerk also has to make this information public.

## **Penalties** **(MEA, s.88.23, s.88.27, s.88.35)**

There are similar penalties for Third Party advertisers as there are for registered Candidates for Financial Statement defaults. The rules for registration of Third-Party advertisers, handling contributions, spending and contribution limits and financial reporting are similar to those for candidates. Corporations and trade unions will be permitted to make contributions to Third Party Advertisers, but will not be permitted to make contributions to Candidates.

As with candidates, there is a 30-day grace period for those who miss the deadline to file a Financial Statement and Auditor's Report, provided that the Third-Party Advertiser pays a \$500 late filing fee to the municipality.

Third Party Advertisers are subject to spending limits and must file Financial Statements with the Clerk and the Clerk must review for possible contraventions and submit any identified contributions to the Compliance Audit Committee. The Compliance Audit Committee would decide on any complaints, and provide brief written reasons for their decisions.

The Clerk is required to publicly identify the Third Parties who file or did not file a Financial Statement.

## **Review and Report by the Clerk** **(MEA, s.88.36)**

The Clerk shall review the contributions reported on the Financial Statements submitted under s.88.29 by a Registered Third Party and determine whether any contributor appears to have exceeded any of the contribution limits under s.88.13.

As soon as possible following the day that is 30 days after the filing date or supplementary filing date under s.88.30 for a Registered Third Party, the Clerk shall prepare a report identifying each contributor to the Registered Third Party who appears to have contravened any of the contribution limits under s.88.13; and

- if the contributor's total contributions to a Registered Third Party in the municipality appear to exceed the limit under s.88.13, the report shall set out the contributions made by that contributor to the Registered Third Party in relation to Third Party advertisements; and



- if the contributor's total contributions to two or more Registered Third Parties in the municipality appear to exceed the limit under s.88.13, the report shall set out the contributions made by that contributor to all Registered Third Parties in the municipality in relation to Third Party advertisements.

The Clerk is to then prepare a report in respect to each contributor who appears to have contravened any of the contribution limits under s.88.13 and forward each report to the Compliance Audit Committee. Within 30 days after receiving the report, the Compliance Audit Committee shall consider the report and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

# FORMS

Section 12 (2) of the *MEA* includes the power to establish forms, including forms of oaths and statutory declarations, and the power to require their use. It also includes the power to require a person, as a condition of doing anything or having an Election Official do anything under the *Act*, to furnish proof that is satisfactory to the Election Official of the person’s identity or qualifications or of any other matter.

The procedures and forms provided are consistent with the principles of the *Act* as per Subsection 42(4) 2. of the *Municipal Elections Act, 1996*.

Any amendment to these procedures shall be signed by the Clerk and a copy of the amendment(s) shall be provided forthwith to all Candidates and Registered Third Party advertisers.

## Prescribed Election Forms

Form Number	Form Name	In Appendix 'A'
1	Nomination	√
2	Endorsement of Nomination	n/a
3	Appointment of Voting Proxy	n/a
4	Financial Statement - Auditor’s Report Candidate	√
5	Financial Statement - Subsequent Expense	√
6	Notice of Extension of Campaign Period	√
7	Notice of Registration of Third Party	√
8	Financial Statement - Auditor’s Report Third Party	√
9	Declaration of Identity	√

## Election Forms and Notices

No.	Form Name:	In Appendix 'A'
EL07	List of Certified Candidates	
EL08	Certification of Election Results	
EL09	Final Summary of Election Results	
EL10	Appointment and Oath – Deputy Returning Officer	
EL11	Appointment and Oath - Election official	
EL12(a)	Appointment of Scrutineer by Candidate	✓
EL12(b)	Oral Oath of Secrecy	✓
EL13	Appointment of Scrutineer - By-Law or Question	
EL14	Candidates' Declaration – Proper Use of Voters' List	✓
EL15	Application to Amend Voters' List	✓
EL16	Application to Remove Another's Name from Voters' List	✓
EL17(a)	Notice of Nomination of Office	
EL17(b)	Notice of Additional Nominations	
EL19	Withdrawal of Nomination	✓
EL20	Declaration of Acclamation to Office	
EL21	Notice of Death / Ineligibility of Candidate	✓
EL22	Certificate of Voters' List	
EL23	Voting Place Agreement	
EL24	Notice of Election Information (Sample Newspaper Ad)	
EL25	Certificate of Receipt for Ballots	
EL26	Oath of Qualification	✓
EL27	Oral Oath of Friend or Interpreter	✓
EL28	List of Persons Who Voted at an Advance Vote	
EL29(a)	Voting Instructions – Manual Count Ballot	
EL29(b)	Voting Instructions – Optical Scan	
EL30	List of Objections to Vote Count – Manual Count	
EL31(a)	Statement of Election Results – Manual Count	
EL31(b)	Statement of Election Results – Optical Scan	
EL32	Declaration of Election Candidate(s)	
EL33	Declaration of Results – By-Laws or Questions	
EL34	Statutory Provisions Regulating Voting Provisions	
EL35	Notice of Offence / Corrupt Practice	✓
EL 36	Disclaimer to Right to Office	✓
EL37(a)	Certificate of Maximum Campaign Expenses - Candidates	✓
EL37(b)	Certificate of Maximum Campaign Expenses – Third Party	✓
EL38	Witness Statements as to Destruction of Ballots	

EL39	Notice of Recount	
EL40	Recount Results	
EL41	Declaration of Recount Results	
EL42(a)	Notice to Candidate of Filing Requirements	✓
EL42(b)	Notice to Third Party of Filing Requirements	✓
EL43(a)	Notice of Default - Candidate	✓
EL43(b)	Notice of Default – Third Party	✓
EL44	Notice of By-Election	
EL45(a)	Voter Notification Card	
EL45(b)	Canada Post Specifications / Voter Notification Card	
EL46	Ballots Account	
EL47	Election Official Application	
EL48	Sample Election Official Exam	
EL49(a)	Sample – Composite Ballot	
EL49(b)	Sample – Optical Scan Ballot	
EL50	Appointment of Voting Proxy	
EL51(a)	Certificate of Maximum Amount of Campaign Expenses – Registered Third Party	✓
EL51(b)	Certificate of Maximum Amount of Expenses for Parties, etc. – Registered Third Party	✓
EL52	Consent to Release of Personal Information	✓

# FRIEND

## **Electors Requiring Assistance (Section 52(1)4)**

The Election Official may permit an elector who needs assistance in voting to have such assistance as the Election Official considers necessary.

## **Oral Oath of Friend or Interpreter**

A voter may request that a friend accompany them into the voting booth to assist marking their ballot. A friend may be anyone accompanying the elector. Anyone acting as a friend shall be required to take an oral oath on the “*Oral Oath of Friend or Interpreter*”, Form EL27. No person shall be allowed to act as a friend of more than one voter at a voting place, except a voting place established under Section 45(7) (Institutions, Retirement Homes).

# HELP CENTRE

The Help Centre shall be established at the Municipal Office. During the Voting Period, the Help Centre will be open Monday to Friday, (excluding holidays) during regular office hours, and on Voting Day between the hours of 8:30 AM and 8:00 PM.

The Help Centre shall be responsible for the following:

- a) Eligible voters who have not received his or her Voter Information Letter with a PIN can visit the Help Centre to acquire a PIN. Electors will be required to fill out an “*Application to Amend Voters’ List*” Form EL15 and provide proof of identity and residence as prescribed in *O. Reg. 304/13*.
- b) Where an eligible voter has received a notice on their Voter information Letter that their date of birth is missing or incomplete, the voter can visit the Help Centre and provide their date of birth. The elector will be required to fill out an “*Application to Amend Voters’ List*” Form EL15 and provide proof of identity and residence as prescribed in *O. Reg. 304/13*.
- c) Where an eligible voter has received an incorrect Voter PIN in terms of ward (if applicable), and / or school support, and has not already voted, the voter can visit the Help Centre and have the proper category applied to the existing PIN. The elector will be required to fill out an “*Application to Amend Voters’ List*” Form EL15 and provide proof of identity and residence as prescribed in *O. Reg. 304/13*.

New PIN(s) shall not be given out over the telephone or by mail. The voter must attend the Help Centre with proof of identify and residence as prescribed in *O. Reg. 304/13* and complete the appropriate form.

## Town Hall Voting Kiosks

Two voting kiosks will be set up on the 2<sup>nd</sup> Floor of the Town Hall Administration department for electors requiring assistance. Voting at a kiosk will be from Tuesday, October 11, 2022 until Friday, October 21, 2022 during regular office hours, and on Monday, October 24, 2022 from 8:30 AM until 8:00 PM.

# LAME DUCK

Section 275 (3) of the *Municipal Act, 2001* sets out two dates for which Lame Duck provisions may be invoked in an election year:

- From Nomination Day to the end of the current term of Council (August 19, 2022 – November 14, 2022); and
- From Voting Day to the end of the current term of Council (October 24, 2022 – November 14, 2022).

If, on either of these dates it can be determined with certainty that the new Council will include fewer than 75% of the outgoing Council Members (75% for the Town of Deep River is 6 Members of Council) the restriction period commonly referred to as the Lame Duck period, will begin.

“Lame Duck” includes the following restrictions for qualified Councils during the specified periods:

- a) The appointment or removal from office of any officer of the municipality;
- b) Hiring or dismissal of any employee of the municipality;
- c) Disposition of any real or personal property of the municipality which has a value exceeding \$50,000.00 at the time of disposal, and
- d) Making any expenditures or incurring any other liability which exceeds \$50,000.00.

# NOMINATION PROCEDURE

(MEA, s.31, s.33)

Nominations can be filed with the Clerk or designate during regular office hours from May 2, 2022 to August 18, 2022, and on Nomination Day (Friday, August 19, 2022) **between 9:00 AM and 2:00 PM.**

If a person is present at the Clerk’s office on Nomination Day at 2:00 PM the MEA, s.33(4.1) provides that they may file the nomination as soon as possible after 2:00 PM.

The nomination **must be completed in full** and filed in-person by the Candidate or an agent of the Candidate and include:

- Nomination Paper – Form 1 (a prescribed form)
- Proof of identity and residence as prescribed in O. Reg. 304/13
- Consent to Release of Personal Information – Form EL52
- Applicable filing fee.

<u>Office</u>	<u>Filing Fee</u>
(1) Mayor	\$200.00
(1) Reeve	\$100.00
(5) Councillors	\$100.00

The filing fee must accompany the nomination and is payable by cash, debit, certified cheque, or money order made payable to the Town of Deep River. The nomination fee will be deposited with the Municipal Treasury Department.

## **Refund of Nomination Filing Fee (Sections (33), (34), s.88.25(1), O. Reg. 101/97)**

A Candidate is entitled to receive a refund of the nomination filing fee if he / she,

- withdraws the nomination under Section 36 of the *Municipal Elections Act*;
- financial documents are filed on or before 2:00 PM on March 31, 2023 for the reporting period ending January 23, 2023;
- receives more than the prescribed percentage of the votes cast (2% of the votes cast) in the election for the office.



Note: If a nomination is filed by an agent, the Candidate's declaration must be completed prior to being filed.

Note: The Candidate endorsement requirement of 25 eligible electors does not apply as the number of electors (3,167) who were eligible to vote in the 2018 election was less than 4000 (the prescribed number).

Nomination papers for school boards must be obtained and filed at the appropriate Municipal Office for the following offices:

(1) School Board Trustee – English Public	Town of Deep River
(1) School Board Trustee – English Separate	Town of Petawawa
(1) School Board Trustee – French Public	Town of Petawawa
(1) School Board Trustee – French Separate	Town of Petawawa

### ***Municipal Freedom of Information & Protection of Privacy Act***

Nomination papers are public documents however, the Candidate may sign the “*Consent to Release Personal Information*”, Form EL52, authorizing the Clerk to release personal information to the public and media and to publish it on the Town website.

### **Certification or Rejection of Nomination Papers (Section 35)**

Prior to 4:00 PM on the Monday following Nomination Day (August 22, 2022) the Clerk shall examine each nomination filed and if satisfied the person is qualified to be nominated and that the nomination complies with the *Act*, the Clerk shall certify as such the nomination filed. If not satisfied, the Clerk shall reject the nomination and as soon as possible give notice to the person who sought to be nominated and all other Candidates for that office.

Under the *MEA* the Clerk is required to reject or certify nominations of Candidates. The Clerk's decision to certify or reject a nomination is final.

The following criteria will be considered in the decision to certify or reject individual nominations:

- Candidate has refused or declined to provide proof of identification suitable to the Clerk;
- Candidate does not satisfy the requirements set out in *MEA*, s.29(1) (eligibility requirements);

- The nomination form is incomplete
- The prescribed filing fee has not been paid, and
- The necessary financial disclosure was not filed for the previous election or any by-election in which the individual may have been a Candidate.

### **Unofficial List of Candidates**

The Clerk shall provide notice of the unofficial list of Candidates by preparing and posting in the Municipal Office and on the website an “*Unofficial List of Candidates*” which will be updated as each Nomination Paper is filed.

Once the Clerk certifies the nominations of Candidates on Nomination Day, this list becomes the List of Certified Candidates (“*List of Certified Candidates*”, Form EL07).

### **List of Certified Candidates**

The final list of Certified Candidates will be posted at the Municipal Office and on the Town website on or before Monday, August 22, 2022 at 4:00 PM, using the “*List of Certified Candidates*” EL07 Form.

### **Notice of Nominations (Section 32)**

The Clerk shall give notice of the offices for which persons may be nominated and of the nomination procedure. The “Notice of Nomination for Office” shall be posted at the municipality, on the municipal website, and in a publication having general circulation in the municipality.

### **Examination of Nominations (Section 35(1), 35(2))**

The Clerk shall examine each nomination that has been filed in accordance with the following timetable:

- All nominations filed on or before Nomination Day (August 19, 2022) shall be examined before 4:00 PM on the Monday (August 22, 2022) following Nomination Day.
- If satisfied a person is qualified to be nominated and that the nomination complies with the *Act*, the Clerk shall certify the nomination by signing the nomination paper;

- If there are more than a sufficient number of certified Nominations to fill the office(s), an election shall be conducted with the names of the persons who have filed certified Nomination Papers.

### **Notice of Additional Nominations (Section 33(5))**

If the number of nominations filed for an office and certified under section 35 is less than the number of persons to be elected to the office, additional nominations for the vacancies may be filed at the Clerk's office between 9:00 AM and 2:00 PM on the Wednesday following Nomination Day (August 24, 2022).

If required the Clerk shall post a "*Notice of Additional Nominations*" Form EL17(B) advising that additional Nomination Papers may be filed for that office during the specified time. If at 2:00 PM on August 24, 2022, additional Nomination Papers have been filed, the procedure to certify or reject Nomination Papers shall be followed.

Any additional nominations filed under subsection 33 (5) shall be examined before 4:00 PM on the Thursday (August 25) following Nomination Day.

### **Withdrawal Of Nomination Papers (Section 36)**

A Candidate may withdraw their Nomination by filing a written withdrawal of their candidacy ("*Withdrawal of Nomination Form*", EL19) by **no later than 2:00 PM on August 19, 2022** (Nomination Day) in the Clerk's office.

If an Agent is filing the withdrawal on behalf of the Candidate, the Candidate is to provide the Agent with a letter stating the Agent has the authority to file the withdrawal letter on their behalf.

If a Candidate has filed an earlier nomination for an office in the same election, the first nomination shall be deemed to have been withdrawn at the time the second nomination is filed. A nomination paper is not transferable.

The withdrawal shall be noted on the "*Unofficial List of Candidates*" Form.

## **Withdrawal Of Additional Nominations (Section 36(B))**

Withdrawal of additional nominations must take place prior to 2:00 PM on August 24, 2022. The same procedure as in the Withdrawal of Nomination Paper Section above will be followed.

## **Declaration of Acclamation to Office (MEA, Section 37(1) and (2))**

If after 4:00 PM on the Monday following Nomination Day (August 22, 2022) the number of certified Candidates for an office is the same as or less than the number to be elected to the office, the Clerk shall immediately declare the Candidate or Candidates elected by acclamation. The Clerk shall post a "*Declaration of Acclamation to Office*" on Form EL20. In this situation there shall be no election conducted for this position(s).

If additional nominations have been filed under subsection 33 (5) and if, at 4:00 PM on the Thursday following nomination day (August 25, 2022), the number of certified Candidates still does not exceed the remaining number of vacancies, the Clerk shall immediately declare the additional Candidate or Candidates elected by acclamation.

## **Acclamations - Filling Vacancies, Other Offices (Section 37(4)1 and 2)**

If an office remains vacant after the declaration of the election of Candidates by acclamation under this section and the declaration of the election of Candidates following the conduct of the election, the following rules apply:

- If the number of Candidates declared elected is insufficient to form a quorum, a by-election shall be held.
- If the number of Candidates declared elected is sufficient to form a quorum, clause 263 (1) (a) of the *Municipal Act, 2001* applies.

## **Death Or Ineligibility of a Candidate (Section 39)**

If a certified Candidate for an office, before the close of Voting Day dies or becomes ineligible to hold the office,

- a) If no Candidate would be elected by acclamation as a result of the death or ineligibility
  - i) the election shall proceed as if the Candidate has not been nominated, and
  - ii) the Clerk shall omit the Candidate's name from the ballots, or, if they have already been printed shall cause notice ("*Notice of Death or Ineligibility of Candidate*", Form EL21) of the Candidate's passing or ineligibility to be made available to the public;
- b) if another Candidate would be elected by acclamation as a result of the death or ineligibility the election is void and a by-election shall be held to fill the office.

### **Notice Of Election Information (Section 40)**

Before Voting Day the Clerk shall give the electors notice of the following through the use of newspaper advertisements and the municipal website:

- a) Under clause 42(1)(b), (alternative voting methods), the manner in which electors may use the internet / telephone voting method;
- b) The dates and times of the Voting Period;
- c) The location and hours of operation for the Help Centre.

# PRELIMINARY LIST OF ELECTORS

In an election year, the Municipal Property Assessment Corporation (MPAC) shall prepare a Primary List of Electors (PLE) and deliver it to the Clerk on or before August 1, 2022.

The PLE contains the name and address of each person who is entitled to be an elector and additional information the Clerk needs to determine for which offices an elector is entitled to vote, such as school support. The qualifying address to determine eligibility for voting shall be the elector's place of residence.

It is possible for an elector's name to appear on the Voters' List of more than one municipality. That elector may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, provided they are not voting for the same office more than once. School Board votes must be cast in the municipality where the elector resides.

The Clerk shall correct any obvious errors in the PLE and notify MPAC. The Clerk may use any information that is in the municipality's custody or control when correcting the PLE for obvious errors. Once the Clerk has corrected any obvious errors the corrected PLE becomes the Voters' List. The period for revisions to the Voters' List is from September 1 and ending at the close of voting on Voting Day. For the 2022 elections it is September 1, 2022 to the close of voting on Voting Day – October 24, 2022.

Any corrections or revisions made to the List by the Clerk are to be sent to MPAC within 30 days (November 23, 2022) after Voting Day.

An online lookup tool (VoterLookup.ca) is available on the Town of Deep River's website at [www.deepriver.ca](http://www.deepriver.ca).

## Interim List of Changes

During the period beginning September 15 and ending on September 26, 2022, the Clerk shall:

- c) Prepare Interim List of Changes to the Voters' List, and
- d) Give a copy of the Interim List to each person who previously requested a copy (*MEA*, s.23), and to each certified Candidate.

Within 30 days after Voting Day (November 23, 2022) the Clerk shall,

- a) Prepare a final list of changes to the Voters' List, and
- b) Give a copy of the final list of changes to MPAC.

### **Certified Voters' List**

The PLE together with the Interim List of Changes make up the Voters' List. The Clerk prepares and certifies the Voters' List.

### **Municipal Voter View List Management**

Election staff will use a computer software program called Municipal Voter View to update and make changes to the Preliminary List of Electors and the Voter's List. The Municipal Voter View application allows staff to add, change, delete or move voters as required in accordance with provisions of the *Municipal Elections Act, 1996*. In addition, the application provides a number of elector related reports to support election planning and also identify potential inaccuracies on the list.

### **Candidate Access (Section 17(2))**

Upon written request ("*Candidates Declaration – Proper Use of Voters' List*", Form EL14), the Clerk shall give the Candidate the part of the Voters' List that contains the names of the electors who are entitled to vote for that office.

Use of electronic and paper versions of the Voters' List, and all other information containing personal voter information shall be protected by the Candidate and shall not be used for any purpose other than the 2022 Municipal Election. All Voter information obtained by the Candidate during the election period shall be destroyed by the Candidate after the election period, either by returning same to the Clerk for destruction with other election material, or by deleting it completely from Candidate computer hardware.

# PROOF OF IDENTIFICATION

## Requirement To Provide Proof of Identity

All eligible electors will be required to provide proof of identity and residence in order to obtain a ballot at the Help Desk. An elector on the Voters' List without identification may complete a "*Declaration of Identity*", Form 9.

## Acceptable Documents for Voter Identification

As outlined in *Ontario Regulation 304 / 13*, an elector must present one of the following documents showing their name and qualifying address in order to receive a ballot:

### SCHEDULE 1

1. An Ontario driver's licence.
2. An Ontario Health Card (photo card).
3. An Ontario Photo Card.
4. An Ontario motor vehicle permit (vehicle portion).
5. A cancelled personalized cheque.
6. A mortgage statement, lease or rental agreement relating to property in Ontario.
7. An insurance policy or insurance statement.
8. A loan agreement or other financial agreement with a financial institution.
9. A document issued or certified by a court in Ontario.
10. Any other document from the government of Canada, Ontario or a municipality in Ontario or from an agency of such a government.
11. Any document from a Band Council in Ontario established under the *Indian Act* (Canada).
12. An income tax assessment notice.
13. A Child Tax Benefit Statement.
14. A Statement of Employment Insurance Benefits Paid T4E.
15. A Statement of Old Age Security T4A (OAS).



16. A Statement of Canada Pension Plan Benefits T4A (P).
17. A Canada Pension Plan Statement of Contributions.
18. A Statement of Direct Deposit for Ontario Works.
19. A Statement of Direct Deposit for Ontario Disability Support Program.
20. A Workplace Safety and Insurance Board Statement of Benefits T5007.
21. A property tax assessment.
22. A credit card statement, bank account statement, or RRSP, RRIF, RHOSP or T5 statement.
23. A CNIB Card or a card from another registered charitable organization that provides services to persons with disabilities.
24. A hospital card or record.
25. A document showing campus residence, issued by the office or officials responsible for student residence at a post-secondary institution.
26. A document showing residence at a long-term care home under the *Long-Term Care Homes Act, 2007*, issued by the Administrator for the home.
27. A utility bill for hydro, water, gas, telephone or cable TV or a bill from a public utilities commission.
28. A cheque stub, T4 statement or pay receipt issued by an employer.
29. A transcript or report card from a post-secondary school.

# **PROXY VOTING**

## **(Section 44)**

The municipality has chosen to use alternative voting methods (Internet and Telephone) and proxy voting will not be utilized.

# REGISTERED THIRD PARTY-THIRD PARTY ADVERTISER

Definition:

An advertisement in any medium that has the purpose of promoting or supporting or opposing a Candidate(s) or a 'yes' or 'no' to a question on a ballot.

Does not include:

- An advertisement by and under the direction of a Candidate;
- Where no expenses are incurred by the person/entity in relation to the advertisement;
- When given or transmitted by an individual to employees, by a corporation to its shareholders, directors, members or employees or by a trade union to its members or employees.

Advertising that does not cost money to post or to broadcast, such as comments made on social media will not be considered to be Third Party Advertising.

## Eligibility for Registration (Sections 88.6)

Individuals, corporations or trade unions are eligible to register as a Third-Party Advertiser provided that they have formally registered with the local Clerk as a Third-Party Advertiser.

Registrations can be accepted by the Clerk, or designate, between the 1st day for filing nominations – May 2, 2022 and the Friday before Voting Day in a regular election – October 21, 2022. There is no registration fee for Third Party Advertising, but the Clerk must examine the registration and then certify the notice of registration if deemed compliant, or reject the registration (*MEA*, s.88.6(13)).

The notice must be filed in the prescribed form and must include a declaration of qualification signed by the individual or by a representative of the corporation or trade union, as the case may be. A notice of registration may be filed in person or by an agent.

The following **are not** permitted to register:

- Municipal Election Candidate,
- Federal and Provincial political parties, constituency associations, registered Candidates and leadership contestants;
- The Crown in right of Canada or Ontario, a municipality, a municipality or local Board.

If Third Party Advertisers want to advertise in more than one municipality, they will have to register in each municipality. This also means that each registration is a separate campaign with its own spending limits. Third Party Advertisers register in single or lower tier municipalities, not upper tier municipalities. For example, with respect to Third Party Advertisers for Regional Chair, they will be required to register in each lower tier municipality they wish to advertise in.

Registration allows a Third-Party Advertiser to promote or oppose any Candidate that the electors in the municipality can vote for (local Council, School Board, regional or County Council offices).

The Clerk is required to issue a Preliminary Certificate of Maximum Campaign Spending Limits to Third Party Advertising registrants at the time they register. This maximum is based on the prescribed formula and uses the number of electors as of September 15, 2018.

No later than September 26, 2022, the Clerk is required to calculate and prepare the Certificate of Maximum Campaign Spending Limits and it is based on the higher of:

- September 15, 2018 (being the amount given on the preliminary Certificate); or
- The number of electors as of September 15, 2022.)

### **List Of Registered Third Parties (Section 88.12 (9) and (10))**

A list of Registered Third Parties shall be posted on the Town website and may also include the phone number and email address provided by the Registered Third Party in the notice of registration filed, and if applicable, a hyperlink to the website of the Registered Third Party.

## **Certification And Rejection of Notice of Registration (Sections 88.6(13) and (14))**

The Clerk will review each Notice of Registration filed for each Third Party to determine eligibility and compliance with the *Municipal Election Act, 1996*. Once satisfied that the Third Party is qualified, the Clerk will complete the “Certification by Clerk” section. If not satisfied, the Clerk shall reject the notice. The Clerk’s decision shall be final.

## **Final Calculation of Maximum Third-Party Expenses (Section 88.21(14))**

The Clerk shall calculate the maximum expenses for registered third parties and prepare a “Certificate of Maximum Third-Party Expenses”, Form EL 51(A). The Certificate shall be delivered to each registered third party **by registered mail** by Monday, September 26, 2022. The Clerk’s calculation is final and shall be made in accordance with the prescribed formula.

## **Restricted Period For 3<sup>rd</sup> Party Advertisements**

Registered Third Parties may register during regular office hours at the Clerk’s Office from May 2 of 2022 to Friday, October 21, 2022. There is no prescribed fee for registering but Third Parties must be registered prior to advertising.

The Restricted Period for Third Party Advertisements begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a Registered Third Party and ends at the close of voting on Voting Day. Third Parties must do the following during the Restricted Period:

- File notice of registration and have it certified by the Clerk;
- Once registered, advertise; and
- Once registered, incur expenses related to the advertisement;
- The expenses for these advertisements cannot exceed the amount calculated under Section 88.21 (Registered Third Party expenses).

## **Third Party Advertising Requirements (MEA, s.88.4, s.88.12, s.88.13, s.88.21)**

No individual, corporation or trade union is permitted to incur expenses for a Third-Party advertisement that appears during the restricted period unless they are a Registered Third Party.

The restricted period for Third Party advertisements in relation to an election in a municipality begins on the earliest day that an individual, corporation or trade union is permitted to file a notice of registration as a Registered Third Party in relation to the election and ends at the close of voting on Voting Day.

### **Contributions**

Contributions by corporations and trade unions to Candidates are banned, however, corporations and trade unions can contribute to Third Party Advertisers. Money, goods and services are considered contributions.

The following are permitted to contribute:

- An individual who is normally a resident of Ontario;
- A corporation that carries on business in Ontario;
- A trade union that holds bargaining rights for employees in Ontario; and
- The Registered Third Party and in the case of an individual, their spouse (subject to s.88.12(5)).

### **Contribution Restrictions:**

- cannot be made or accepted unless registered as a Third Party
- maximum contribution from a single contributor is \$1,200 to a registered third party and \$5,000 to two or more Registered Third Parties in a municipality.
- If the contribution exceeds \$25 it shall not be in cash.

These contribution limits do not apply to the Registered Third Party if the contribution is made by themselves, and if the registered Third-Party advertiser is an individual, along with their spouse.

**Expenses:**

- May only be made by the Registered Third Party or an individual acting under their direction.
- Are subject to maximum expense limit (prescribed formula based on the number of electors entitled to vote);
- Are required to record expenses and file a Financial Statement.

A fundraising function relating to Third Party advertisements that are to appear during an election cannot be held for an individual, corporation or trade union that is not registered as a Third Party in a municipality and cannot be held outside the campaign period.

### **Mandatory Information in Third Party Advertisements (MEA, s.88(5))**

The Third-Party Advertiser must be registered at the time of the advertisement.

The ad must contain the following:

- name of Registered Third Party;
- the municipality where the Third Party is registered;
- a telephone number, mailing address or email address at which the Third Party may be contacted regarding the advertisement.

A Registered Third Party is not permitted to allow a Third-Party advertisement to appear during the restricted period unless the broadcaster / publisher has been provided the following in writing:

- name of the Registered Third Party;
- municipality where Third Party is registered; and
- name, business address and telephone number of the individual who deals with the broadcaster/publisher under the direction of Registered Third Party.

The broadcaster / publisher retains records with respect to the above, copy of the advertisement/means of reproducing it and the cost. They must retain the record for four years after the date of the appearance of the advertisement and permit inspection during normal business hours.

## **Municipal Authority to Remove Advertisements (Section 88.7)**

A municipality may require the following to remove or discontinue the advertising:

- a person who has contravened the provisions for Third Party Advertisers or caused / permitted the contravention;
- the owner or occupier of the land on which the contravention occurred.

Third Party Advertisers are required to identify themselves on campaign advertisements and signs, so that it is clear for each sign and advertisement that appears or is broadcast. There is no spending cap on signs.

## **Campaign Period (MEA, s.88.12, s.88.27, s.88.28, s.88.29, s.88.32)**

Contributions can only be made to a Registered Third Party for Third Party advertisements, and can only be made during the campaign period. (MEA, s.88.12)

A Third-Party Advertiser that is registered can only incur expenses during the campaign period. The campaign period is determined by the application of the following rules.

For the 2022 municipal election - the election campaign:

- begins on the day the Third-Party registers for the election (registration must be certified by the Clerk); and
- ends on January 3, 2023

The Registered Third Party may before the last day for filing a Financial Statement under s.88.30, apply to the Ontario Court of Justice to extend the time for filing the document. The court may grant an extension of up to 90 days. The Third Party shall notify the Clerk in writing before 2:00 PM on the last day for filing a Financial Statement under s.88.29 or 88.32 that an application has been made.

If the Third-Party Advertiser becomes involved in a Compliance Audit after the campaign ends on January 3, 2023, the campaign may be recommenced. Once the Third-Party Advertiser notifies the Clerk in writing of the campaign period recommencement, the



Clerk shall pay the Third-Party Advertiser any surplus being held in trust for the Candidate, together with interest.

Where the campaign period has recommenced, the Third-Party Advertiser may incur expenses and accept contributions until June 30, 2023 or where an alternate provision of the *MEA* has been met, *MEA*. s.88.28(4).

# **SCRUTINEER**

## **(Sections 16 and 47)**

### **Appointment - By Candidate – Qualification Sections 16 and 47**

Where an appointment is made by a Candidate, the appointment shall be made using the “*Appointment of Scrutineer by Candidate*” Form EL12(A). The form to appoint Scrutineers, must be signed by the Candidate in person at the municipal office. The Candidate shall provide the signed form to their Scrutineer, who will be required to present it to the Clerk or designate at Town Hall.

### **Number - Per candidate - In Help Centre - One Only**

Only one Candidate or his / her appointed Scrutineer may be in attendance at the Help Centre at one time. The Scrutineer / Candidate must take an “*Oral Oath of Secrecy*” Form EL12(B) at the Help Centre.

Before being admitted to a Voter Assistance Centre Scrutineers shall produce satisfactory identification and a properly signed Appointment of Scrutineer by Candidate form.

### **Appointment - Evidence Of**

A person appointed as a Scrutineer, before being admitted to the Help Centre, shall show his / her applicable appointment form and provide proof of identity and residence as prescribed in *O. Reg. 304/13* to the Election Official.

- Scrutineers may be appointed, in writing by the Candidate, to represent them as allowed for under Section 16 of the *Municipal Elections Act, 1996*. If appointed, Scrutineers will be entitled to be present at any Voter Assistance Centre during hours of operation to observe the process.
- Only one Candidate or their appointed Scrutineer may be in attendance at a Voter Assistance Centre at one time.

- Use of mobile communication devices and cameras shall **not be permitted** within any Voter Assistance Centre by any Candidate or Scrutineer.
  
- Scrutineers who do not follow the instructions of the Election Official(s) or who attempt to interfere, influence and to determine how an elector is voting will be requested to leave the Voter Assistance Centre immediately, their appointment will be revoked and they will not be permitted to re-attend at a Voter Assistance Centre or during the announcement of results. Scrutineers may also have their appointment revoked if they contravene the rules and guidelines established by the Clerk as provided to the Candidates.

# TIMELINES

## 2022

- March 31 No by-election will be held to replace a vacancy after March 31st.
- April 30 Last day for municipalities and local Boards to establish rules and procedures regarding the use of municipal and / or Board resources during the election campaign period.
- May 1 Last day to pass a by-law authorizing the use of voting and vote-counting equipment and / or authorizing electors to use an alternative voting method.
- The Clerk will give notice in a local newspaper and on the Municipal website prior to May 1, 2022 of the offices for which a person may be nominated, along with the nomination period.
- May 2 Nomination and registration period begins. Candidates and Third Parties can begin to register at the Clerk's Office.
- Candidate Forms  
"Nomination Paper" – Form 1  
"Consent to Release of Personal Information", Form EL52
- Candidate registration period from May 2, 2022 to August 19 at 2:00 PM.  
Registered Third Party registration period from May 2, 2022 to October 21, 2022.
- June 1 Last day to establish Clerk's procedures and forms for the use of any voting and vote-counting equipment or alternative voting method.
- August 1 Advertise "Notice of the Posting of the Voters' List" in the Clerk's Office
- August 2 Last day for MPAC to deliver the preliminary electors' list for each local municipality.
- August 19 Nomination Day – **Between 9:00 AM and 2:00 PM**
- Last day a candidate may file a nomination at the Clerk's office.  
Last Day a Candidate may withdraw his / her candidacy using "Withdrawal of Nomination", Form EL19. A person who wishes to

withdraw their nomination must **notify the Clerk in writing before 2:00 PM.**

If a person is present at the Clerk's office on Nomination Day at 2:00 PM and has not yet filed a nomination, they may file the nomination as soon as possible after 2:00 PM.

Nomination papers will not be accepted after 2:00 PM on Nomination Day unless there are fewer number of candidates nominated for a specific office than are to be elected to that office.

Public notice is placed in the local newspaper and on the Municipal website prior to May 1<sup>st</sup> of the regular election year, advising of the offices for which persons may be nominated and the nomination procedure.

Nomination of qualified candidates may file for election to the offices of:

Mayor	One to be elected by general vote
Reeve	One to be elected by general vote
Councillor	Five to be elected by general vote
Trustee	One to be elected by general vote of the English Public-School electors.

August 22

Prior to 4:00 PM all nominations to be examined and certified on "*List of Certified Candidates*", Form EL07.

Post "*Official List of Certified Candidates*", Form EL07, and / or between 9:00 AM and 2:00 PM, accept additional nominations and withdrawals, if required.

After 4:00 PM, declare an election and / or acclamation or notice of additional nominations.

Should additional nominations be required due to the number of nominations filed being less than the number of persons to be elected to the office, a "*Notice of Additional Nominations*", Form EL17(B) will be posted.

August 24

Additional nominations may be filed between 9:00 AM and 2:00 PM **only if** the number of nominations filed for an office and certified is less than the number of persons to be elected to the office.

A Candidate who wishes to withdraw their additional nomination must notify the Clerk in writing before 2:00 PM (“*Withdrawal of Nomination*”, Form EL19).

- August 25 Any additional nominations are to be examined and certified by 4:00 PM.
- Candidate(s) elected by acclamation are declared (“*Declaration of Acclamation to Office*”, Form EL20).
- August 26 All certified Candidates to provide the Clerk with the correct spelling of their names for the paper ballot, and proper pronunciation of their names for the audio (telephone) ballot.
- August 31 Clerk to make error corrections to PLE by this date.
- September 1 Corrected PLE becomes the Voters’ List.
- Upon written request, Clerk provides copies of the Voters’ List to local Boards, municipalities, Minister, and certified Candidates.
- Upon written request, provide Candidates with a copy of the part of the Voters’ List that contains the names of the electors who are entitled to vote for that office.
- Voters’ List revision period starts September 1, 2022. From September 1 until the close of voting on Voting Day (October 24), a person may submit an application (“*Application to Amend Voters’ List*”, Form EL15) to have their name added to or removed from, or information amended on the Voters’ List.
- From September 1 until the close of voting on Voting Day (October 24), a person may submit an application (“*Application for Removal of Another’s Name from Voters’ List*”, Form EL16) requesting that a deceased person’s name be removed from the Voters’ List.
- Voting places to be established at institutions with 20 or more beds occupied and retirement homes with 50 or more beds occupied.
- September 15 Prior to September 26, 2022 prepare and distribute the “Interim List of Changes” to the Voters’ List that were approved on or before September 15.

September 15	Determine the total number of electors on the Voters' List to establish final campaign expense limits for the present campaign period and interim limits for the next election.
September 26	<p>Last day to provide a copy of the Interim List to each person who previously received a copy of the Voters' List.</p> <p>Clerk to issue final Certificate of Maximum Campaign Spending Limits to Candidates of the applicable maximum amounts for each office.</p> <p>Provide Candidates with:</p> <ul style="list-style-type: none"> <li>• <i>"Certificate of Maximum Campaign Expenses – Candidate"</i>, Form EL37(A)</li> <li>• <i>"Certificate of Maximum Amount of Contributions – Own Campaign"</i>, Form EL37(B)</li> <li>• <i>"Certificate of Maximum Amount of Expenses for Parties, etc., - Candidate"</i>, Form EL37(C)</li> </ul> <p>Provide Registered Third Parties with:</p> <ul style="list-style-type: none"> <li>• <i>"Certificate of the Applicable Maximum Amount of Campaign Expenses for Parties, etc. – Registered Third Party"</i>, Form EL51(A).</li> <li>• <i>"Certificate of Maximum Amount of Expenses for Parties, etc. – Registered Third Party"</i>, Form EL51(B)</li> </ul>
October 1	Last day for Councils and school boards to establish a Compliance Audit Committee (CAC) for the 2022-2026 term of office.
October 11	Internet and Telephone Voting Period begins at 8:30 AM, and ends October 24, 2022 at 8:00 PM.
October 21	Last day for Third Party Advertisers to file their notice of registration at the Clerk's office.
October 23	Last day to provide candidates with a Notice of Penalties related to campaign finances and the refund of the nomination filing fee.
October 24	<b>Voting Day.</b>
October 25	Clerk declares the results ( <i>"Declaration of Elected Candidate"</i> , Form EL32) and provides information to the public on a website or in another electronic format on the number of votes, declined and rejected ballots,

and the number of votes or the affirmative or negative on a by-law or question.

November 14	Council Oath of Office
November 15	<b>New Council Term of Office commences.</b>
November 16	Inaugural Meeting of Deep River Council
November 23	Last day to provide MPAC with the final list of changes to the Voters' List.
December 7	First Regular Meeting of Deep River Council
December 16	Deadline for the newly formed Council to host their first meeting.

## **2023**

January 3	End of the election campaign period.  Last day for Candidates and Registered Third Parties to provide written notice to the Clerk, in the prescribed form of a deficit, and apply for the continuation of their campaign period (" <i>Notice of Extension of Campaign Period</i> ", Form 6).
January 23	Last day to make the Accessibility Report public about the identification, removal and prevention of barriers that effect Electors and Candidates with disabilities.  Last day for an elected Candidate to disclaim all right to the office (if no application made to the Superior Court of Justice against the validity of the Candidate's election (" <i>Disclaimer to Right to Office</i> ", Form EL36).
February 22	First possible day for the destruction of election records (if the results of the election are declared on October 25 and are unchallenged). Ballots and all other documents and materials related to an election shall be retained for 120 days after declaring the results of the election.  Note: Certain records (such as those related to financial statements) must be retained.
March 1	Last day for Clerk to provide Candidates and registered Third Parties



with notice of financial filing requirements and penalties for their initial Financial Statements and Auditor's Reports.

*"Notice to Candidate of Filing Requirements"*, Form EL42(A) that every Candidate shall file by March 31, 2023 with the Clerk a Financial Statement and Auditor's Report in the prescribed form, reflecting the Candidate's election campaign finances.

Candidates are entitled to receive a refund of the nomination filing fee if they meet the requirements of s.34, and the penalties set out in subsections 88.23(2) and 92(1) of the MEA.

*"Notice to Registered Third Party of Filing Requirements"*, Form 42(B) that every registered Third Party shall file by March 31, 2023 with the Clerk a Financial Statement and Auditor's Report in accordance with s. 88.29 of the Municipal Elections Act, 1996.

March 30 Last day for Candidates and Registered Third Parties to apply to the Superior Court of Justice to extend the time for filing their initial Financial Statements and Auditor's Reports. The Court may grant an extension of no more than 90 days.

March 31 Deadline for Candidates and Registered Third Parties to file their initial Financial Statements.

The documents filed under s. 88.25, 88.29 (Financial Statements and Auditor's Reports) and 88.32 (subsequent expenses) are to be made available to the public on a website or in another electronic format as soon as possible after the documents are filed.

If an error is identified in a filed Financial Statement, the Candidate may withdraw the statement and, at the same time, file a corrected Financial Statement and Auditor's Report on or before the **2:00 PM deadline**.

Last day for Candidates and registered Third Parties to notify the Clerk, in writing, that an application has been made to the Superior Court of Justice to extend the time for filing their initial Financial Statement and Auditor's Report (**2:00 PM deadline**).

Note: Candidates that file their Financial Statements and Auditor's Reports in accordance with subsection 88.25(1) by the **2:00 PM deadline** are entitled to receive a refund of the nomination filing fee.

After 2:00 PM, the Clerk is to send by registered mail a “*Notice of Default*”, Form EL43, to any Candidate or Registered Third Party who has not submitted the “*Financial Statement – Auditor’s Report*”, Forms 4 and 8.

April 24

Last day on which Council may consider a by-law or resolution to implement the results of a question on the ballot.

May 1

Last day for Candidates and Registered Third Parties to file a late Initial *Financial Statement and Auditor Report* (Form 4) **by 2:00 PM** provided a \$500 late filing fee is paid.

Documents submitted after the deadline are to be accepted only for the purpose of making them available to the public.

If applicable, notices of default (Candidate - Form EL43(A) and Registered Third Party – Form EL43(B)) will be issued by the Clerk as soon as possible after the filing deadline.

The Clerk shall prepare a separate report in respect of each contributor who appears to have contravened any of the contribution limits and forward those reports to the Compliance Audit Committee.

Within 30 days after receiving a report the Committee must consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention.

May 2

Report setting out all Candidates and Registered Third Parties in an election along with an indication of whether each has filed a Financial Statement and Auditor’s Report is to be made available to the public on a website or in another electronic format as soon as possible after this date.

June 29

Last day for an elector to apply for a Compliance Audit of a Candidate or registered Third Party’s initial Financial Statement for the reporting period ending December 31, 2022.

Within 10 days of receiving an application the Clerk must forward the application to the Compliance Audit Committee.

Within 30 days after the Committee has received the application, the

Committee must consider the application and decide whether it should be granted or rejected.

The Committee's decision may be appealed to the Superior Court of Justice within 15 days after the decision is made.

Within 10 days after receiving the Report from the Committee appointed Auditor, the Clerk must forward the Audit Report to the Committee.

The Committee must consider the Report within 30 days after receiving it, and if the report concludes that the Candidate appears to have contravened a provision of the *MEA* relating to election campaign finances, the Committee shall decide whether to commence a legal proceeding against the Candidate for the apparent contravention.

June 30                      Supplementary campaign period ends. Last day of the extended campaign period for Candidates and Registered Third Parties that extended their campaign due to a deficit, or that recommenced their campaign due to a recount, controverted election, or compliance audit.

August 30                      Last day for Clerk to provide Candidates and Registered Third Parties with notice of the filing requirements and associated penalties for their Supplementary Financial Statement and Auditor's Report.

September 28                      Last day for Candidates and Registered Third Parties to apply to the Superior Court of Justice to extend the time for filing their supplementary Financial Statements and Auditor's Reports. The Court may grant an extension of no more than 90 days.

September 29                      **2:00 PM deadline** for Candidates and Registered Third Parties to file their Supplementary Financial Statement and Auditor Reports for the period ending June 30, 2023. **This only applies to those who filed a Form 6 to extend their campaign.**

The documents filed will be made available to the public on the Municipal website after being filed.

If an error is identified in a filed Financial Statement the Candidate may withdraw the Statement and at the same time file a corrected Financial Statement and Auditor's Report on or before the **2:00 PM deadline**.

Last day for Candidates and Registered Third Parties to notify the Clerk,

in writing, that an application has been made to the Superior Court of Justice to extend the time for filing their Supplementary Financial Statement and Auditor's Report.

October 30

Last day for Candidates and Registered Third Parties who missed the filing deadline to file a Supplementary Financial Statement and Auditor Report (**2:00 PM deadline with \$500 late filing fee**).

Documents that are submitted after this deadline are to be accepted only for the purpose of making them available to the public.

If applicable, notices of default should be issued by the Clerk as soon as possible after this filing deadline.

A Report identifying each contributor who appears to have contravened any of the contribution limits to be made available as soon as possible after this date.

The Clerk shall prepare a separate Report in respect of each contributor who appears to have contravened any of the contribution limits and forward the Reports to the Compliance Audit Committee.

Within 30 days after receiving a Report the Committee must consider it and decide whether to commence legal proceeding against a contributor for an apparent contravention.

December 28

Last day for an elector to apply for a Compliance Audit of a Candidate or Registered Third Party's Supplementary Financial Statement.

## **2024**

January 29

Last day to request a Compliance Audit on a late Supplementary Financial Statement for the reporting period ending June 30, 2023 submitted by October 30, 2023.

## **2026**

November 14

Term of Council ends.

# TOWN RESOURCES

## Access to Resources

It is important that all Candidates receive fair and consistent treatment so as to ensure the integrity of the electoral process and a fair and unbiased election. Sections 88.8 and 88.12 of the *Act* outlines that a municipality cannot make contributions to a Candidate or a Registered Third Party.

## Town Facilities

No facility or Town property shall be rented or used for any election campaign purpose by any members of the public, Council, Candidates, Registered Third Party or function.

## Corporate Identity and Resources

No Town resources are to be used for or by, or for the benefit of, any candidate or Registered Third Party for their campaign activities, including, but not limited to, the use of:

- The Town's Corporate identity,
- Crest or other Corporate Branding Material or Logos,
- Town Information Technology (IT) resources, including the Town's website, social media sites (nor can there be a link to a Candidate's site)
- Any Town function, whether on Town property or not,
- Photographs or videos owned by the Town.

## Public Information

For greater certainty, the *Act* allows the Town to make information available to the public on a website or in another format, where the information provided does not constitute a contribution. Staff will post information on all Candidates and Registered Third Parties for the public to view on the Town's website.

## Campaigning and Campaign Material – Municipally Owned Facilities

Election campaigning or the distribution / posting of election campaign material at municipal facilities is not permitted subject to case law. It is also not permitted at voting locations during advance voting and on Voting Day.

# VOTERS LIST

## Who Is Entitled to Vote?

Any qualified elector whose name appears on the list of electors or who can produce a completed “*Application to Amend Voters’ List*” Form EL15, authorizing his / her name to be added to the list is entitled to vote. Each elector is entitled to only one ballot for the Town of Deep River.

It is possible for an elector’s name to appear on the voting list of more than one municipality. The elector may be eligible to vote in both municipalities. For example, a person listed as a resident elector in one municipality and a non-resident elector in another municipality is entitled to vote in each, providing they are not voting for the same office more than once.

Votes for School Board Trustees must be cast in the municipality where the elector resides.

## Voter Qualifications

A person is entitled to be an elector at an election held in a local municipality if, on Voting Day, they,

- reside in the local municipality or is the owner or tenant of land there, or the spouse of such owner or tenant;
- are a Canadian citizen;
- are at least 18 years old; and  
are not prohibited by law from voting under subsection 17(3) of the *Municipal Elections Act 1996*, or otherwise.

## Persons Prohibited from Voting

The following are prohibited from voting:

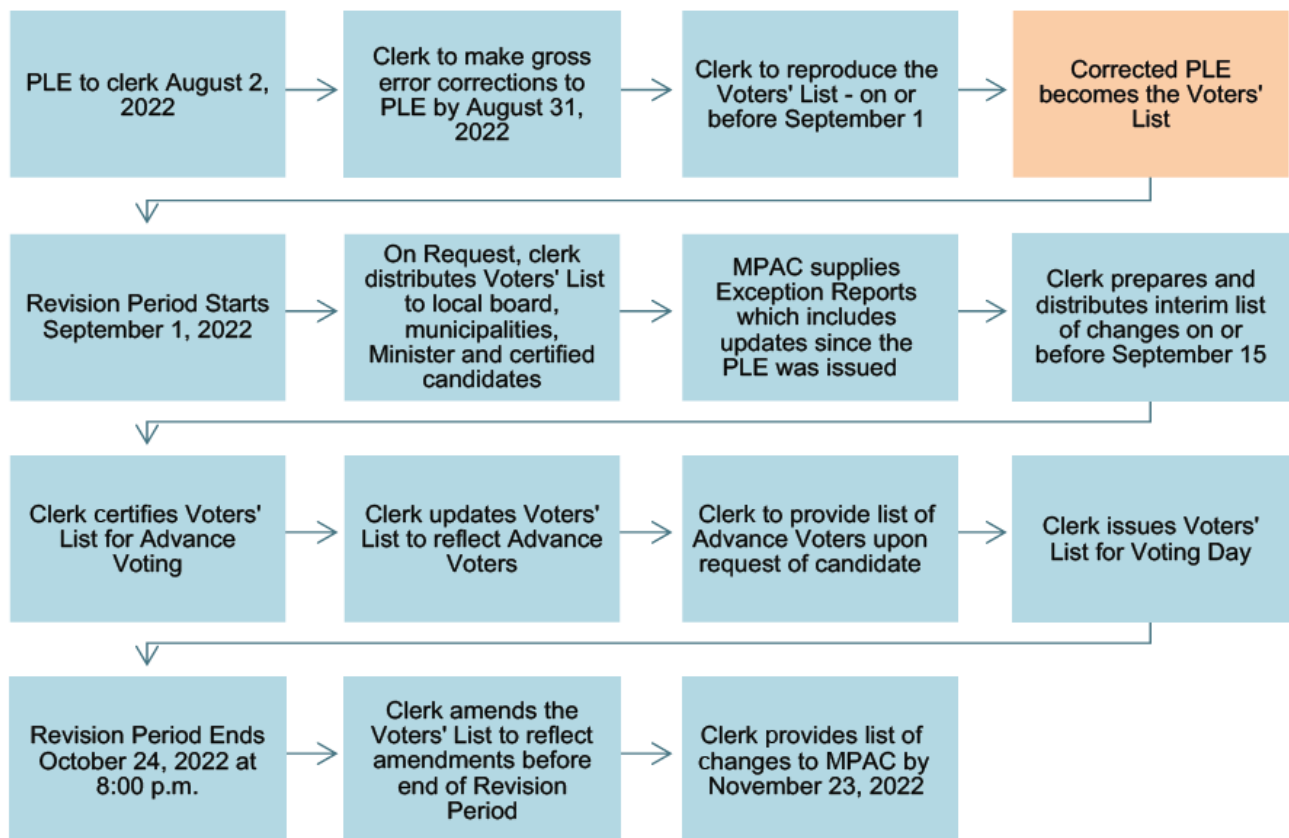
- A person who is serving a sentence of imprisonment in a penal or correctional institution.
- A corporation.
- A person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with s.44.
- A person who was convicted of the corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which he or she was convicted.

## Challenging Eligibility

If a Candidate challenges the right of a person to vote, the DRO or Clerk must note it for the person's name on the Voters' List maintained by the Clerk "objected to by (the name of the Candidate)" on behalf of (name of Candidate)". The DRO may also challenge an individual on his / her own initiative if he / she has reason to believe the person is not entitled to vote in that voting place. In either case, the challenged individual must then take the "Oath of Qualification", Form EL26.

If he / she refuses, a ballot must be refused and the words "refused to affirm" or "refused to be sworn" must be entered for that person's name on the Voters' List maintained by the Voting Clerk.

## Amendments To the Voters' List



## **Interim List of Changes (Section 27(1))**

The period for revisions to (“*Application to Amend Voters’ List*”, Form EL15) and for the removal of a deceased persons name (“*Application for Removal of Another’s Name from Voters’ List*”, Form EL16) from the Voters’ List is from September 1, 2022 and ends at the close of Voting on Voting Day (October 24, 2022).

The application shall be in writing and shall be filed in person by the applicant.

During the period beginning on September 15 and ending on September 26 in the year of a regular election, the Clerk shall:

- Prepare an interim list of the changes to the Voters’ List approved under the *MEA*, s.24, s.25 on or before September 15, and
- Give a copy of the interim list to each person who received a copy of the Voters’ List under *MEA*, s.23 and to each certified Candidate.

The Preliminary List of Electors shall be reviewed by the Clerk and obvious errors shall be corrected as permitted under Section 22 of the *Municipal Elections Act, 1996*, and the list shall be approved for use as the Voters’ List on or before September 1, 2022. The Clerk may use any information that is in the municipality’s custody or control (subject to MFIPPA) when correcting the PLE for obvious errors (Section 22(2)).

The list shall be accessible by authorized Election Officials, who will use the Data Fix Voter View system to facilitate additions and changes during the revision period and perform other functions as required, subject to the security permissions assigned to each Official.

In accordance with Section 27 (1) of the *Act*, the Clerk shall produce the Interim List of Changes reflecting changes made up until September 15, 2022, using Voter View, and make available electronically these additions, corrections and deletions to those who are entitled to copies of the Voters’ List under the *Act*. This list shall be distributed to each qualified person prior to September 26, 2022.

The Voters’ List shall be provided by Data Fix to Simply Voting Inc. in computer format to allow for activation of the Voting System. Once the Voters’ List has been loaded into the Voting System it will remain synchronized; any additions, deletions or changes to elector information in Voter View will automatically and instantly be reflected in the Voting System.

The Voters’ List shall be provided by Simply Voting Inc. to Taylor Demers Mail Processing Inc. in computer format to allow for printing of the Voter Information Letters in time for delivery. Voter Information Letters shall be sent via Canada Post Letter mail to all eligible Electors no



later than September 28, 2022 to enable them to use the Telephone / Internet Voting service.

All certified Candidates shall be entitled to an electronic or hard copy of the part of the Voters' List that contains the electors who are entitled to vote. Candidates shall sign the "*Candidate's Declaration – Proper Use of the Voters' List*" Form EL 14 stating that the Voters' List shall not be used for any purposes other than the 2022 Municipal and School Board elections, in accordance with Section 88(10) of the *Municipal Elections Act, 1996*. This access does not provide information on how an elector has voted, only whether or not they have participated in the election.

The Municipal Office will be a Revision Centre during normal business hours from September 1, 2022 to October 21, 2022, and until 8:00 PM on October 24, 2022.

The Revision Center shall be responsible for the following:

- Eligible Electors who are not on the Voters' List or wish to correct or update their information will be able to do so by attending the Revision Centre and filling out the "*Application to Amend Voters' List*", Form (EL15) and provide satisfactory identification in accordance with the Instructions for Voters' List Revisions and PIN Replacement.
- Persons wishing to remove a deceased person's name from the Voters' List may submit a completed "*Application for Removal of Another's Name from Voters' List*", Form (EL16) at the Revision Centre, which shall be reviewed before the final decision to remove the deceased individual's name from the list.
- Where a person on the Voters' List has lost his or her Voter Information Letter or did not receive it in the mail, they can attend the Revision Centre to obtain their VIL with a replacement PIN in accordance with the Instructions for Voters' List Revisions and PIN Replacement.

### **Final List of Changes to the Voters' List (MEA, s.27(2))**

Within 30 days after Voting Day (November 23, 2022) the Clerk shall:

- Prepare a final list of the changes to the Voters' List under *MEA*, s.24 and s.25; and
- Give a copy of the final list of changes to MPAC.

The final list of revisions to the Voters' List is provided to MPAC in order for those revisions to be reflected in the Preliminary List of Electors (PLE) for the next election.

## **Certification Of Voters' List (Section 28(1))**

The PLE together with the interim list of changes make up the Voters' List. The Clerk shall certify any changes to the Voters' List on the "*Certificate of the Voters' List*", Form EL22.

## **Copies of the Voters' List (MEA, s.23)**

On or before September 1, 2022, the clerk shall reproduce the Voters' List and determine where, when, and how revisions may be made.

Upon written request, provide one copy of the Voters' List to those persons identified in *MEA*, s.23, as follows:

### s.23(3)

The secretary of a local Board any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a question to the electors;

The Clerk of the local municipality responsible for conducting the elections in any combined area for School Board purposes;

The Clerk of an upper-tier municipality any of whose members are required to be elected at an election conducted by the Clerk, or that has submitted a by-law or question to the electors; and the Minister, if he or she has submitted a question to the electors.

### s.23(4)

On the written request of a Candidate for an office, the Clerk shall provide him or her with the part of the Voters' List that contains the names of the electors who are entitled to vote for that office. The Candidate will be required to sign the "*Candidate's Declaration - Proper Use of the Voters' List*" Form EL14 stating that the Voters' List shall not be used for any purposes other than the 2022 Municipal and School Board elections, in accordance with Section 88(10) of the *Municipal Elections Act, 1996*.

The Voters' List is not permitted to be published on the Internet or made available in any other print or electronic medium of mass communication and is only to be used for election purposes.

The Voters' List has been compiled for election purposes only. All electors should ensure that their names and relevant information are correct on the Voters' List.

**Retirement Homes or Institutions  
(Section 45(7))**

A Help Centre will be provided to the following institutions and retirement homes on the specified date(s) and hours:

<b>NAME OF RETIREMENT HOME OR INSTITUTION</b>	<b>DATE</b>	<b>HOURS FOR ASSISTANCE</b>
North Renfrew Long Term Care Centre	TBD	9:00 AM to 11:00 AM
Four Seasons Lodge Deep River & District Hospital	TBD	9:00 AM to 11:00 AM
<p>Dates are subject to arrangements being made with the manager of the respective nursing homes. Changes will not be the subject of notification to the Candidates. As Clerk, I do hereby designate these areas / locations identified above as polling locations under the provisions of the <i>Municipal Elections Act</i> during the date and time identified above.</p>		

# VOTING PROCEDURE

Each person on the Voters' List shall be mailed a sealed Voter Information Letter via Canada Post Letter mail containing, at minimum:

- Their PIN, as well as the telephone number and designated internet address (URL) to cast their vote;
- Instructions on how to vote;
- Dates and hours of Telephone / Internet Voting;
- The email address and telephone number of the Voter Help Desk;
- Locations, dates and hours of Voter Assistance Centres;
- A list of contests and Candidates;
- Voter eligibility criteria; and
- Illegal and corrupt practices.

A Telephone / Internet Voting method shall be used for the 2022 Municipal Elections.

- The Voting System provided by Simply Voting Inc. shall allow electors to vote using a telephone or the internet. Electors shall be required to access a designated internet address or telephone a designated number in order to cast their ballot.
- Every elector shall be limited to only one vote through the use of a PIN distributed via Canada Post Letter mail in a sealed and personalized Voter Information Letter, or issued in person by an Election Official as necessary. Every elector shall be required to provide their date of birth along with their PIN.
- Following the voter's selection for all offices on a single composite ballot, the Voting System shall identify the voter's choices and provide the voter with the option of changing or confirming their vote selections prior to submission.
- The Voting System shall enable the elector to under-vote a contest or contests, or decline from voting the ballot in its entirety, if they wish to do so.
- For the purposes of reporting declined ballots in accordance with Subsection 55(4.1) 2., an under-voted ballot shall be considered an abstention from voting for one or more contests on the ballot or voting for fewer candidates than is permitted within a single contest, whereas a declined ballot shall be considered a deliberate choice by the Elector to decline the entire ballot by selecting a 'declined' option on the ballot. A declined ballot shall not include votes cast for any contest, which is separate and distinct from an under-

voted ballot which may or may not include votes for all contests, one contest, or no contests on the ballot.

- The Voting System shall not permit a voter to overvote, or to spoil a ballot.
- If an elector is interrupted before casting their vote, they may re-commence voting later using the same method or the other method. Once a voter has cast the vote, that voter will not be granted access to Telephone / Internet Voting again.
- Voting will commence on October 11, 2022 at 8:30 a.m. and close on October 24, 2022 at 8:00 PM. Notwithstanding the closure of remote voting at 8:00 PM on the final day, persons present at a Voter Assistance Centre at 8:00 PM will continue to be allowed to access the Voting System and complete the voting process. Persons who have gained access to the Voting System through their own device prior to 8:00 PM on October 24, 2022 will be permitted to complete the voting process, provided that they do so by 8:05 PM.
- Prior to the activation of the system by Simply Voting Inc., being on October 11, 2022 at 8:30 AM, Simply Voting Inc. shall allow access by the Clerk, the Auditor, or other authorized Election Officials as determined by the Clerk, to the Voting System by secure username and password, for the purposes of viewing a list of all of the candidates' names and possible selections for any questions or by-laws on the ballot, including the sum total of votes cast to ensure that the total votes cast indicates "0" (Zero).
- Where a voter qualifies in the Municipality, the voter may vote only once and the qualifying address to determine eligibility for voting shall be at the place of residence of the elector, as defined under the *Municipal Elections Act, 1996*. Should an eligible voter receive more than one Voter Information Letter, the eligible elector may only vote once and must destroy or return the other VIL(s) to the Municipal Office. All voters that vote more than once in the election or who improperly use the Voter Information Letter shall be reported to the appropriate authorities for further investigation as to possible corrupt practices under the *Municipal Elections Act, 1996*.
- Sealed Voter Information Letters returned to the Municipal Office shall remain sealed, shall be marked "returned mail" and be maintained in a secure fashion and destroyed at the same time as all other Municipal Election material as provided for under Section 88 of the *Municipal Elections Act, 1996*.
- Should a Voter Information Letter be returned to the Municipal Office that has been opened but has not been used for voting purposes, the Election Official shall immediately disable the PIN so that the PIN cannot participate in the voting process. In this circumstance, the Voter Information Letter shall be marked "unused" and be secured and destroyed.

- The Clerk in partnership with Simply Voting Inc. shall take appropriate measures to ensure that all Voter Information Letters and their associated PINs are accounted for throughout the election and after the conclusion of the Voting Period. After the conclusion of the election, Simply Voting Inc. shall supply the Clerk with a report detailing the status of all VILs / PINs during the election.
- The Clerk shall arrange one or more Voter Assistance Centres to be set up throughout the municipality on specific dates and times during the Voting Period. Voter Assistance Centres shall be equipped with one or more Voting Kiosks for use by electors to cast their ballot.
- Where an elector's PIN is assigned incorrect school board support information, the elector can attend a Revision Centre or Voter Assistance Centre and have the proper school support applied to the existing PIN before casting their ballot. If the eligible voter has already cast their ballot and exhausted their PIN, they cannot make any further changes to their eligibility or re-cast any part of their ballot.

Eligible voters may vote by:

- accessing the telephone number provided by using a touch-tone telephone, or the internet address provided by using a viable internet connection;
- attending a Voter Assistance Centre during the dates and times and at the locations established by the Clerk, either by themselves or with a friend or interpreter who may assist the elector in voting using the Voting Kiosk after taking the appropriate oath. In the absence of a friend or interpreter, the voter may request the assistance of the Election Official, who may provide assistance.

## **Notice Of Results**

The Clerk shall download the **Unofficial Results** of each Candidate from the Voting System and the results shall be made available by the Clerk as soon as practical after 8:00 PM on Monday, October 24, 2022 (Voting Day) at the Municipal Office, and the Clerk shall post the same on the municipality's website.

As soon as possible after Voting Day and no later than October 25, 2022 at 4:00 PM the Clerk shall declare the **Official Results** using the "Declaration of Election Candidate" Form EL32 and post the results at the Municipal Office and on the municipal website.

# APPENDICES

## Appendix 'A'

The Forms and Notices found in this section are those that have been developed in accordance with the *Municipal Election Act, 1996* and approved for use by The Municipality for the election process, included as Appendix 'A' to the Procedures Manual. Additional forms prepared for the 2022 Municipal Elections will be utilized when necessary or desirable for conducting the election under the direction of the Clerk, as per Section 12 (1) of the *Municipal Elections Act, 1996*.

**Instructions**

It is the responsibility of the person being nominated to file a complete and accurate nomination paper. Please print or type information (except signatures).

Nomination paper of a person to be a candidate at an election to be held in the following municipality

Nominated for the Office of	Ward Name or Number (if any)
-----------------------------	------------------------------

Nominee's name as it is to appear on the ballot paper (subject to agreement of the municipal clerk)

Last Name or Single Name	Given Name(s)
--------------------------	---------------

Nominee's full qualifying address within municipality

Suite/Unit Number	Street Number	Street Name
-------------------	---------------	-------------

Municipality	Province	Postal Code
--------------	----------	-------------

Mailing Address  Same as qualifying address

Suite/Unit Number	Street Number	Street Name
-------------------	---------------	-------------

Municipality	Province	Postal Code
--------------	----------	-------------

If nominated for school board, full address of residence within its jurisdiction

Suite/Unit Number	Street Number	Street Name
-------------------	---------------	-------------

Municipality	Province	Postal Code
--------------	----------	-------------

Email Address	Telephone Number	Telephone Number 2
---------------	------------------	--------------------

**Declaration of Qualification**

I, \_\_\_\_\_, declare that I am presently legally qualified  
(or would be presently legally qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada) to be elected and to hold the office for which I am nominated.

\_\_\_\_\_  
Signature of Nominee

\_\_\_\_\_  
Date (yyyy/mm/dd)

Date Received (yyyy/mm/dd)	Time Received	Initial of Nominee or Agent (if filed in person)	Signature of Clerk or Designate
----------------------------	---------------	---	---------------------------------

**Certification by Clerk or Designate**

I, the undersigned clerk of this municipality, do hereby certify that I have examined the nomination paper of the aforesaid nominee filed with me and am satisfied that the nominee is qualified to be nominated and that the nomination complies with the Act.

Signature	Date Certified (yyyy/mm/dd)
-----------	-----------------------------



### Instructions

All candidates must complete Boxes A and B. Candidates who receive contributions or incur expenses must complete Boxes C, D, Schedule 1 and Schedule 2 as appropriate. Candidates who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the candidate or their spouse) shall be immediately paid to the clerk who is responsible for the conduct of the election.

For the campaign period from (day clerk received nomination) 

YYYY	MM	DD
------	----	----

 to 

YYYY	MM	DD
------	----	----

Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)

Supplementary filing reflecting finances from start of campaign to end of extended campaign period

### Box A: Name of Candidate and Office

Candidate's name as shown on the ballot

Last Name or Single Name

Given Name(s)

Office for Which the Candidate Sought Election

Ward Name or Number (if any)

Municipality

Spending Limit

General

\$

Parties and Other Expressions of Appreciation

\$

Contribution Limit

Contributions from Candidate and Spouse

\$

I did not accept any contributions or incur any expenses. (Complete Boxes A and B only)

### Box B: Declaration

I, \_\_\_\_\_, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd)

Time Filed

Initial of Candidate or Agent (if filed in person)

Signature of Clerk or Designate

## Box C: Statement of Campaign Income and Expenses

### LOAN

Name of bank or recognized lending institution	Amount borrowed \$ _____
--	-----------------------------

### INCOME

Total amount of all contributions (from line 1A in Schedule 1)	+	\$	
Revenue from items \$25 or less	+	\$	
Sign deposit refund	+	\$	
Revenue from fundraising events not deemed a contribution (from Part III of Schedule 2)	+	\$	
Interest earned by campaign bank account	+	\$	
Other (provide full details)			
1. _____	+	\$	
2. _____	+	\$	
3. _____	+	\$	
4. _____	+	\$	
5. _____	+	\$	
6. _____	+	\$	
<b>Total Campaign Income (Do not include loan)</b>			<b>= \$ _____ C1</b>

### EXPENSES (Note: Include the value of contributions of goods and services)

#### 1. Expenses subject to general spending limit

Inventory from previous campaign used in this campaign (list details in Table 2 of Schedule 1)	+	\$	
Advertising	+	\$	
Brochures/flyers	+	\$	
Signs (including sign deposit)	+	\$	
Meetings hosted	+	\$	
Office expenses incurred until voting day	+	\$	
Phone and/or internet expenses incurred until voting day	+	\$	
Salaries, benefits, honoraria, professional fees incurred until voting day	+	\$	
Bank charges incurred until voting day	+	\$	
Interest charged on loan until voting day	+	\$	
Other (provide full details)			
1. _____	+	\$	
2. _____	+	\$	
3. _____	+	\$	
4. _____	+	\$	
5. _____	+	\$	
6. _____	+	\$	
<b>Total Expenses subject to general spending limit</b>			<b>= \$ _____ C2</b>

#### 2. Expenses subject to spending limit for parties and other expressions of appreciation

1. _____	+	\$	
----------	---	----	--

2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
<b>Total Expenses subject to spending limit for parties and other expressions of appreciation</b>		<b>= \$</b>	<b>_____ C3</b>

**3. Expenses not subject to spending limits**

Accounting and audit	_____	+ \$	_____
Cost of fundraising events/activities (list details in Part IV of Schedule 2)	_____	+ \$	_____
Office expenses incurred after voting day	_____	+ \$	_____
Phone and/or internet expenses incurred after voting day	_____	+ \$	_____
Salaries, benefits, honoraria, professional fees incurred after voting day	_____	+ \$	_____
Bank charges incurred after voting day	_____	+ \$	_____
Interest charged on loan after voting day	_____	+ \$	_____
Expenses related to recount	_____	+ \$	_____
Expenses related to controverted election	_____	+ \$	_____
Expenses related to compliance audit	_____	+ \$	_____
Expenses related to candidate's disability (provide full details)			
1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
Other (provide full details)			
1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
<b>Total Expenses not subject to spending limits</b>		<b>= \$</b>	<b>_____ C4</b>

**Total Campaign Expenses (C2 + C3 + C4)** = \$ \_\_\_\_\_ **C5**

**Box D: Calculation of Surplus or Deficit**

Excess (deficiency) of income over expenses (Income minus Total Expenses) (C1 – C5)	+ \$	_____	<b>D1</b>
If there is a surplus, deduct any refund of candidate's or spouse's contributions to the campaign	- \$	_____	
<b>Surplus (or deficit) for the campaign</b>	<b>= \$</b>	<b>_____</b>	<b>D2</b>

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who is responsible for the conduct of the election.

## Schedule 1 – Contributions

### Part I – Summary of Contributions

Contributions in money from candidate and spouse	+ \$	
Contributions in goods and services from candidate and spouse (include value listed in Table 1 and Table 2)	+ \$	
Total value of contributions not exceeding \$100 per contributor • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor is \$100 or less (do not include contributions from candidate or spouse).	+ \$	
Total value of contributions exceeding \$100 per contributor (from line 1B; list details in Table 3 and Table 4) • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from candidate or spouse).	+ \$	
<b>Less:</b> Ineligible contributions paid or payable to the contributor Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25	– \$	
	– \$	
<b>Total Amount of Contributions (record under Income in Box C)</b>	<b>= \$</b>	<b>1A</b>

### Part II – Contributions from candidate or spouse

**Table 1: Contributions in goods or services**

Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
<b>Total</b>		

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign  
(Note: Value must be recorded as a contribution from the candidate and as an expense.)**

Description	Date Acquired (yyyy/mm/dd)	Supplier	Quantity	Current Market Value (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

### Part III – Contributions exceeding \$100 per contributor – individuals other than candidate or spouse

**Table 3: Monetary contributions from individuals other than candidate or spouse**

Name	Full Address	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 4: Contributions in goods or services from individuals other than candidate or spouse**  
 (Note: Must also be recorded as Expenses in Box C.)

Name	Full Address	Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

**Total for Part III – Contributions exceeding \$100 per contributor**  
 (Add totals from Table 3 and Table 4 and record the total in Part 1 – Summary of Contributions)      \$ \_\_\_\_\_ 1B

## Schedule 2 – Fundraising Events and Activities

Complete a separate schedule for each event or activity held.

Additional schedule(s) attached, if completed manually.

### Fundraising Event/Activity 1

Description of fundraising event/activity \_\_\_\_\_

Date of event/activity (yyyy/mm/dd) \_\_\_\_\_

#### Part I – Ticket revenue

Admission charge (per person) \$ \_\_\_\_\_ 2A

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x \_\_\_\_\_ 2B

**Total Part I (2A X 2B) (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part II – Other revenue deemed a contribution

Provide details (e.g., revenue from goods sold in excess of fair market value)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part II (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part III – Other revenue not deemed a contribution

Provide details (e.g., contribution of \$25 or less; goods or services sold for \$25 or less)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part III (include under Income in Box C)** = \$ \_\_\_\_\_

#### Part IV – Expenses related to fundraising event or activity

Provide details

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part IV Expenses (include under Expenses in Box C)** = \$ \_\_\_\_\_

**Auditor's Report – Municipal Elections Act, 1996 (Section 88.25)**

A candidate who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

Municipality	Date (yyyy/mm/dd)
--------------	-------------------

<b>Contact Information</b>		
Last Name or Single Name	Given Name(s)	Licence Number

Address		
Suite/Unit Number	Street Number	Street Name

Municipality	Province	Postal Code
--------------	----------	-------------

Telephone Number	Email Address
------------------	---------------

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

Personal information, if any, collected on this form is obtained under the authority of sections 88.25 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.

**Instructions**

This form must be completed by any candidate or registered third party who has:

- incurred costs related to a compliance audit, after the supplementary filing period has passed; and
- applied for the return of their surplus funds from the clerk in order to defray those costs.

Any surplus funds remaining when the costs have been defrayed shall be immediately paid to the clerk who was responsible for the conduct of the election.

A new form must be completed and filed with the clerk 90 days after the surplus was returned to the candidate or third party advertiser, and every 90 days thereafter, until:

- the costs are defrayed and any remaining surplus has been paid to the clerk, or
- there is no surplus remaining.

	YYYY	MM	DD	to	YYYY	MM	DD	
<b>For the reporting period from</b>								

**Box A: Name of Candidate and Office**

Candidate's name as shown on ballot	
Last Name or Single Name	Given Name(s)
Office for Which the Candidate Sought Election	Ward Name or Number (if any)
Municipality	

**Box B: Name of Registered Third Party**

Name of Registered Third Party	Municipality
Official Representative (if trade union or corporation) Last Name or Single Name	Given Name(s)

**Box C: Summary of Expenses**

<b>Surplus at Start of Reporting Period</b>	<b>\$</b>	<b>(A)</b>
Expenses related to compliance audit (provide full details)		
1. _____	+ \$	
2. _____	+ \$	
3. _____	+ \$	
4. _____	+ \$	
5. _____	+ \$	
<b>Total Expenses</b>	<b>= \$</b>	<b>(B)</b>
<b>Surplus Remaining (A) – (B)</b>	<b>= \$</b>	
<b>Amount Paid to Clerk (if applicable)</b>	<b>\$</b>	



---

**Box D: Declaration**

---

I, \_\_\_\_\_, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Candidate or Registered Third Party (or Official Representative)

\_\_\_\_\_  
Date (yyyy/mm/dd)

Time Filed

Date Filed (yyyy/mm/dd)

Signature of Clerk or Designate

---

**Instructions**

- To be completed and filed with the clerk by a candidate or registered third party requesting an extension of the campaign period due to a deficit.
- This notice must be filed on or before December 31 in the year of a regular election and 45 days after voting day in the case of a by-election.

**Box A: Name of Candidate and Office**

Name of Candidate

Last Name or Single Name

Given Name(s)

Office for Which the Candidate Sought Election

Ward Name or Number (if any)

Municipality

**Box B: Name of Registered Third Party**

Name of Registered Third Party

Municipality

Official Representative (if trade union or corporation)

Last Name or Single Name

Given Name(s)

**Box C: Declaration**

I, \_\_\_\_\_, hereby give notice and declare to the clerk  
that I (or the registered third party that I represent) have a deficit and wish the campaign period to be extended in accordance  
with section 88.24.

\_\_\_\_\_  
Signature of Candidate or Registered Third Party (or Official Representative)\_\_\_\_\_  
Date (yyyy/mm/dd)

**Instruction**

It is the responsibility of the person incurring expenses to file a complete and accurate notice. Please print or type information (except signatures).

**Box A: Notice of Registration (Individuals, Corporations and Trade Unions)**

Registration for an Individual, Corporation or Trade Union in the Following Municipality

Name of Individual, Corporation or Trade Union (Registrant)

Mailing Address (Registrant)

Suite/Unit Number	Street Number	Street Name
-------------------	---------------	-------------

Municipality	Province	Postal Code
--------------	----------	-------------

Email Address	Telephone Number ext.	Telephone Number 2
---------------	--------------------------	--------------------

**Box B: Designation of an Official Representative (Corporations and Trade Unions)**

Name of person signing (Official Representative)

Last Name or Single Name	Given Name(s)
--------------------------	---------------

Mailing Address (Official Representative)

Suite/Unit Number	Street Number	Street Name
-------------------	---------------	-------------

Municipality	Province	Postal Code
--------------	----------	-------------

Email Address	Telephone Number ext.	Telephone Number 2
---------------	--------------------------	--------------------

**Box C: Additional Information (Corporations)**

Business Name

Ontario Corporation Number

Names of Principal Officers

- |     |     |
|-----|-----|
| 1.  | 2.  |
| 3.  | 4.  |
| 5.  | 6.  |
| 7.  | 8.  |
| 9.  | 10. |
| 11. | 12. |

**Box D: Declaration of Qualification**

I, \_\_\_\_\_, the Registrant (or Official Representative of the Registrant), referred to in this notice, do hereby declare that:

- (1) The information in this notice of registration is, to the best of knowledge and belief, true;
- (2) The Registrant is qualified to be registered as a third party advertiser; and
- (3) I am authorized to sign on behalf of the Registrant (applies only where the Registrant is a corporation or trade union).

\_\_\_\_\_  
Signature of Registrant (or Official Representative)

\_\_\_\_\_  
Date (yyyy/mm/dd)

Date Received (yyyy/mm/dd)	Time Received	Initial of Registrant (or Official Representative) (if filed in person)	Signature of Clerk or Designate
----------------------------	---------------	---	---------------------------------

**Certification by Clerk or Designate**

I, the undersigned clerk of this municipality, do hereby certify that I have examined the notice of registration of the aforesaid registrant filed with me and am satisfied that the registrant is qualified to incur expenses and that the notice of registration complies with the Act.

\_\_\_\_\_  
Signature of Clerk or Designate

\_\_\_\_\_  
Date Certified (yyyy/mm/dd)

### Instructions

All registrants must complete Boxes A, B, C and D and Schedule 1. All registrants must complete Schedule 2 as appropriate. Registrants who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the registrant or, if the registrant is an individual, their spouse) shall be immediately paid to the clerk who was responsible for the conduct of the election.

For the campaign period from 

YYYY	MM	DD
------	----	----

 to 

YYYY	MM	DD
------	----	----

- Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)
- Supplementary filing reflecting finances from start of campaign to end of extended campaign period

### Box A: Name of Registrant

Name of Registrant (individual, trade union or corporation)

Official Representative (name of person signing on behalf of trade union or corporation)

Last Name or Single Name

Given Name(s)

Municipality

Spending Limit – General

\$

Spending Limit – Parties and Other Expressions of Appreciation

\$

### Box B: Declaration

I, \_\_\_\_\_, a registrant (or official representative), declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

\_\_\_\_\_  
Signature of Registrant (or Official Representative)

\_\_\_\_\_  
Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd)	Time Filed	Initial of Registrant, Official Representative or Agent (if filed in person)	Signature of Clerk or Designate
-------------------------	------------	--	---------------------------------

## Box C: Statement of Campaign Income and Expenses

### LOAN

Name of bank or recognized lending institution Amount borrowed  
\$ \_\_\_\_\_

### INCOME

Total amount of all contributions (from line 1A in Schedule 1)	+ \$	_____
Revenue from items \$25 or less	+ \$	_____
Sign deposit refund	+ \$	_____
Revenue from fundraising events not deemed a contribution (from Part III of Schedule 2)	+ \$	_____
Interest earned by campaign bank account	+ \$	_____
Other (provide full details)		
1. _____	+ \$	_____
2. _____	+ \$	_____
3. _____	+ \$	_____
4. _____	+ \$	_____
5. _____	+ \$	_____
6. _____	+ \$	_____
<b>Total Campaign Income (Do not include loan)</b>		<b>= \$ _____ C1</b>

### EXPENSES (Note: Include the value of contributions of goods and services)

#### 1. Expenses subject to general spending limit

Inventory from previous campaign used in this campaign (list details in Table 2 of Schedule 1)	+ \$	_____
Advertising	+ \$	_____
Brochures/flyers	+ \$	_____
Signs (including sign deposit)	+ \$	_____
Meetings hosted	+ \$	_____
Office expenses incurred until voting day	+ \$	_____
Phone and/or internet expenses incurred until voting day	+ \$	_____
Salaries, benefits, honoraria, professional fees incurred until voting day	+ \$	_____
Bank charges incurred until voting day	+ \$	_____
Interest charged on loan until voting day	+ \$	_____
Other (provide full details)		
1. _____	+ \$	_____
2. _____	+ \$	_____
3. _____	+ \$	_____
4. _____	+ \$	_____
5. _____	+ \$	_____
6. _____	+ \$	_____
<b>Total Expenses subject to general spending limit</b>		<b>= \$ _____ C2</b>

#### 2. Expenses subject to spending limit for parties and other expressions of appreciation

1. _____	+ \$	_____
----------	------	-------

2.	_____	+ \$	
3.	_____	+ \$	
4.	_____	+ \$	
5.	_____	+ \$	
<b>Total Expenses subject to spending limit for parties and other expressions of appreciation</b>		<b>= \$</b>	<b>C3</b>

**3. Expenses not subject to spending limits**

Accounting and audit	_____	+ \$	
Cost of fundraising events/activities (list details in Part IV of Schedule 2)	_____	+ \$	
Office expenses incurred after voting day	_____	+ \$	
Phone and/or internet expenses incurred after voting day	_____	+ \$	
Salaries, benefits, honoraria, professional fees incurred after voting day	_____	+ \$	
Bank charges incurred after voting day	_____	+ \$	
Interest charged on loan after voting day	_____	+ \$	
Expenses related to recount	_____	+ \$	
Expenses related to controverted election	_____	+ \$	
Expenses related to compliance audit	_____	+ \$	
Expenses related to candidate's disability (provide full details)			
1.	_____	+ \$	
2.	_____	+ \$	
3.	_____	+ \$	
4.	_____	+ \$	
5.	_____	+ \$	
Other (provide full details)			
1.	_____	+ \$	
2.	_____	+ \$	
3.	_____	+ \$	
4.	_____	+ \$	
5.	_____	+ \$	
<b>Total Expenses not subject to spending limits</b>		<b>= \$</b>	<b>C4</b>

**Total Campaign Expenses (C2 + C3 + C4)** = \$ **C5**

**Box D: Calculation of Surplus or Deficit**

Excess (deficiency) of income over expenses (Income minus Total Expenses) (C1 – C5)	_____	+ \$	<b>D1</b>
If there is a surplus, deduct any refund of registrant's or spouse's contributions to the campaign	_____	- \$	
<b>Surplus (or deficit) for the campaign</b>		<b>= \$</b>	<b>D2</b>

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who was responsible for the conduct of the election.

## Schedule 1 – Contributions

### Part I – Summary of Contributions

Contributions in money from registrant and (if individual) spouse	+ \$	
Contributions in goods and services from registrant and (if individual) spouse (include value listed in Table 1 and Table 2)	+ \$	
Total value of contributions not exceeding \$100 per contributor • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor is \$100 or less (do not include contributions from registrant or spouse).	+ \$	
Total value of contributions exceeding \$100 per contributor (from line 1B; list details in Tables 3-6) • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from registrant or spouse).	+ \$	
Less: Ineligible contributions returned or payable to the contributor	– \$	
Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25	– \$	
<b>Total Amount of Contributions (record under Income in Box C)</b>	<b>= \$</b>	<b>1A</b>

### Part II – Contributions from registrant or spouse

**Table 1: Contributions in goods or services**

Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
<b>Total</b>		

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign**  
(Note: Value must be recorded as a contribution from the registrant and as an expense.)

Description	Date Acquired (yyyy/mm/dd)	Supplier	Quantity	Current Market Value (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

### Part III – Contributions exceeding \$100 – contributors other than registrant or spouse



**Table 3: Monetary contributions from individuals other than registrant or spouse**

Name	Full Address	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
<b>Total</b>				

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 4: Monetary contributions from corporations or trade unions**

Name (legal and carrying on business as)	Full Address	President or Business Manager	Authorized Representative	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
<b>Total</b>						

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 5: Contributions in goods or services from individuals other than registrant or spouse**

(Note: Must also be recorded as Expenses in Box C.)

Name	Full Address	Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)	Amount Returned to Contributor or Paid to Clerk (\$)

Name	Full Address	Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
<b>Total</b>					

Additional information is listed on separate supplementary attachment, if completed manually.

**Table 6: Monetary contributions from corporations or trade unions**  
 (Note: Must also be recorded as Expenses in Box C.)

Name (legal and carrying on business as)	Full Address	President or Business Manager	Authorized Representative	Date Received (yyyy/mm/dd)	Amount Received (\$)	Amount Returned to Contributor or Paid to Clerk (\$)
<b>Total</b>						

Additional information is listed on separate supplementary attachment, if completed manually.

**Total for Part III (Add totals from Tables 3-6) (Record in Part 1 – Summary of Contributions)** \$ \_\_\_\_\_ **1B**

## Schedule 2 – Fundraising Events and Activities

Complete a separate schedule for each event or activity held.

Additional schedule(s) attached, if completed manually.

### Fundraising Event/Activity 1

Description of fundraising event/activity \_\_\_\_\_

Date of event/activity (yyyy/mm/dd) \_\_\_\_\_

#### Part I – Ticket revenue

Admission charge (per person) \$ \_\_\_\_\_ 2A

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x \_\_\_\_\_ 2B

**Total Part I (2A X 2B) (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part II – Other revenue deemed a contribution

Provide details (e.g., revenue from goods sold in excess of fair market value)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part II (include in Part I of Schedule 1)** = \$ \_\_\_\_\_

#### Part III – Other revenue not deemed a contribution

Provide details (e.g., contribution of \$25 or less; goods or services sold)

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part III (include under Income in Box C)** = \$ \_\_\_\_\_

#### Part IV – Expenses related to fundraising event or activity

Provide details

1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____

**Total Part IV Expenses (include under Expenses in Box C)** = \$ \_\_\_\_\_

---

**Auditor's Report****Municipal Elections Act, 1996 (Section 88.25)**

---

A registrant who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

---

Municipality	Date (yyyy/mm/dd)
--------------	-------------------

---

**Contact Information**

---

Last Name or Single Name	Given Name(s)	Licence Number
--------------------------	---------------	----------------

---

**Address**

---

Suite/Unit Number	Street Number	Street Name
-------------------	---------------	-------------

---

---

Municipality	Province	Postal Code
--------------	----------	-------------

---

---

Telephone Number	Email Address
------------------	---------------

---

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

---

Personal information, if any, collected on this form is obtained under the authority of sections 88.29 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.

**Instructions**

- To be completed by persons whose names appear on the voters' list and who do not present the prescribed proof of identity and residence.
- This application must be completed at the voting place.

---

**Voting Place**

Municipality \_\_\_\_\_

Ward Name or Number (if any) \_\_\_\_\_

**Declaration**

I, \_\_\_\_\_, hereby declare that I am

at

\_\_\_\_\_  
(Name of Elector)

\_\_\_\_\_  
(Address)

as shown on the voters' list, and I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before Deputy Returning Officer

in the \_\_\_\_\_

Date (yyyy/mm/dd) \_\_\_\_\_

\_\_\_\_\_  
Signature of Deputy Returning Officer

\_\_\_\_\_  
Signature of Person Requesting a Ballot

## CANDIDATES APPOINTMENT OF SCRUTINEER FORM

To be signed by the Candidate and must be shown to the Voting Location Official upon entry. Failure to show proof of appointment will result in removal from the voting location.

Only one scrutineer per candidate in the voting location.

Name of Candidate (please print or type):
---

Candidate for the office of:
------------------------------

### PROHIBITIONS:

- Directly or indirectly attempting to interfere with how a voter marks their ballot;
- Attempting to campaign or persuade a voter to vote for a particular Candidate;
- Displaying a Candidate's election campaign material on his or her person or anywhere in or around the voting location. The Clerk is the lessee of the premises used as voting locations. As the lessee of such premises, the Clerk does not permit campaigning of any nature in or on the premises used as a voting location. The premises are deemed to include the entire building and the property on which it is located, which includes boulevards and parking lots;
- Compromising the secrecy of the voting process;
- Obtaining or attempting to obtain, in a voting place, any information about how a voter intends to vote or has voted;
- Communicating any information obtained at a voting place about how a voter intends to vote or has voted;
- Engaging electors in conversation;
- Acting as an interpreter (voters must make his or her own arrangements);
- Providing assistance to an elector;
- Using a cell phone while present in the voting location;
- Monitoring, or listening to, or participating in any conversation or communication between the voter and election official;
- Being in the "immediate vicinity" of the vote tabulator to be determined by an election official; and,

### Scrutineer Appointment by Candidate

Name of Scrutineer Appointed	Date
<i>I appoint the individual noted above as a scrutineer to represent me in the 2022 Municipal Election.</i>	Signature of Candidate



**CANDIDATE'S DECLARATION- PROPER USE OF VOTERS' LIST**

*Municipal Elections Act, 1996 (s.23(4) (5));*

I, \_\_\_\_\_, being a candidate for the office of \_\_\_\_\_, hereby request the Clerk to provide me

with the following information when it becomes available:

a paper copy of the Voters' List. Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 25, 2022.

OR

an electronic copy of the Voters' List. Please note that a copy of all revisions made to the Voters' List will be provided on or before Monday, September 25, 2022.

AND

a copy of the Lists showing the name of each person who has voted at each Advance Vote.

**I, the undersigned, do hereby agree to use the Voters' List for election purposes only and I understand that I am prohibited by the Municipal Elections Act, 1996 from using the Voters' List for commercial purposes.**

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date

Name: \_\_\_\_\_  
(please print)



**APPLICATION FOR REMOVAL OF ANOTHER'S NAME FROM VOTERS' LIST**

*Municipal Elections Act, 1996 (s. 25)*

**Application to Amend Voters' List** *Municipal Elections Act, 1996 (s.17, s.24, s.25)* Form EL15

- Check only one  add applicant's name to list  
 correct applicant's information on list  
 delete applicant's or family member's name from list (  deceased  moved  other)

**Name of applicant** \_\_\_\_\_ date of birth 

year	month	day

\_\_\_\_\_ last \_\_\_\_\_ first \_\_\_\_\_ middle

**Qualifying address on voting day**  commercial property **At qualifying address, applicant is:**

\_\_\_\_\_ street number & name \_\_\_\_\_ apt. # \_\_\_\_\_ roll number \_\_\_\_\_ ward number \_\_\_\_\_ voting number \_\_\_\_\_ subdiv. \_\_\_\_\_

\_\_\_\_\_ city \_\_\_\_\_ postal code (if house apartment, indicate floor level - e.g. basement, 1st floor, etc.)

owner *since* \_\_\_\_\_  
 tenant *since* \_\_\_\_\_  
 other *since* \_\_\_\_\_  
 spouse  or s.s.p. *date* \_\_\_\_\_  
 unqualified (deleted name only)

**Previous qualifying address (if applicable)** **At previous address, applicant was:**

\_\_\_\_\_ street number & name \_\_\_\_\_ apt. # \_\_\_\_\_ roll number \_\_\_\_\_ ward number \_\_\_\_\_ voting number \_\_\_\_\_ subdiv. \_\_\_\_\_

\_\_\_\_\_ city \_\_\_\_\_ postal code (if house apartment, indicate floor level - e.g. basement, 1st floor, etc.)

owner  
 tenant  
 other  
 spouse  or s.s.p.

**Current mailing address of applicant** (if different than Qualifying address above) **At mailing address, applicant is:**

\_\_\_\_\_ street number & name \_\_\_\_\_ apt. / unit # \_\_\_\_\_ city \_\_\_\_\_ postal code

owner  
 tenant  
 other  
 spouse  or s.s.p.

s s.p. = same sex partner

- School Support**
- Applicant is Roman Catholic (includes Greek & Ukrainian Catholics)  
 Applicant has French Language Education Rights

- Applicant wishes to be an elector for the following school board**
- English-Public (anyone can support English-public)  
 English-Separate (must be Roman Catholic)  
 French-Public (must have French Language Education Rights)  
 French-Separate (must be Roman Catholic & have French Language Education Rights)

I, the undersigned, hereby declare that I am a Canadian citizen, that I have attained the age of eighteen (18) on or before Voting Day, and that on Voting Day, I am entitled to be an elector in accordance with the facts or information submitted on this form, and that I understand the effect thereof. I hereby apply to have my name included or amendments made on the Voters' List in accordance with such facts or information.

\_\_\_\_\_ signature of applicant \_\_\_\_\_ date

This information is collected under authority of s. 17, s 24 and s 25 of the Municipal Elections Act and s 15 and s. 16 of the Assessment Act and will be used to determine voter eligibility.

**Certificate of Approval** (to be completed by Clerk or designate)  Refused (state reason)

Approved

I hereby certify that the Voters' List for said voting subdivision in this municipality shall be amended in accordance with the statement of facts or information contained herein.

\_\_\_\_\_ signature of clerk or designate \_\_\_\_\_ date

**APPLICATION FOR REMOVAL OF ANOTHER'S NAME FROM VOTERS' LIST**

*Municipal Elections Act, 1996 (s. 25)*

Municipality		
Surname of Applicant		Given Names
Full Address of Residence	Apt #	Postal Code

**IN RESPECT OF**

Name as Entered in Voters' List		
Full Address of Residence	Apt #	Postal Code

**ENTERED ON LIST FOR**

Ward No. (if any)	Voting Subdivision No. (if any)	Assessment Roll Number (to be completed by Clerk or designated election official)
-------------------	---------------------------------	---

**STATEMENT BY APPLICANT**

I, the undersigned, hereby state:

That I have good reason to believe that the person named above as entered on the Voters' List for the said voting subdivision in this municipality is not entitled to be an elector and to have her/his name entered on the Voters' List.

\_\_\_\_\_  
(signature of applicant)

\_\_\_\_\_  
(date signed)

**WITHDRAWAL OF NOMINATION<sup>12</sup>**

*Municipal Elections Act, 1996 (s.36)*

I, \_\_\_\_\_, hereby withdraw my name as a candidate  
(Name of Candidate)

for the office of \_\_\_\_\_.  
(Name of Elected Office)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

THIS WITHDRAWAL DELIVERED TO ME AT _____ (time)
THIS _____ DAY OF _____, 2022.
Municipal Clerk or designate _____

<sup>1</sup> A person who has been nominated may withdraw his or her nomination by filing a written withdrawal in the Clerk's office by 2 pm on Nomination Day (July 27, 2018) if the nomination was filed on or before Nomination Day and by 2 p.m. on August 1, 2018, if the nomination was filed under subsection 33(5).

<sup>2</sup> Clerk may want to require a candidate to appear in person, with identification in order to withdraw their nomination. If not, then anytime that a nomination withdrawal is submitted by someone other than the nominee, the Clerk should follow up to ensure that the withdrawal was submitted with the nominee's permission.

**NOTICE OF DEATH/INELIGIBILITY OF CANDIDATE**

*Municipal Elections Act, 1996 (s.39 (a) and (b))*

Notice is hereby given that \_\_\_\_\_ a candidate  
(name of candidate)

for the office of \_\_\_\_\_ has died/become ineligible  
to hold the office.

**Since no other candidate would be elected by acclamation as a result of the death/ineligibility, the election for this office shall proceed as if the deceased/ineligible candidate had not been nominated.**

or

**Since, as a result of the death/ineligibility, another candidate would be elected by acclamation to office, the election for the above office is void and a by-election shall be held.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Municipal Clerk or designate

**OATH OF QUALIFICATION<sup>1</sup>**

*Municipal Elections Act, 1996 (s.52 (1) 3)*

I am the person named or intended to be named on the voters' list or document shown to me; and I have not before voted at the election now being held in the (Name of Municipality). I am a Canadian citizen, at least 18 years of age and a resident of the (Name of Municipality) or a non-resident owner or tenant of land in the (Name of Municipality), or the spouse of such owner or tenant.

NAME (please print)	SIGNATURE

<sup>1</sup> This form to be used for electors who have been objected to under paragraphs 2 and 3 of subsection 52(1) of the MEA.

**ORAL OATH OF FRIEND OR INTERPRETER**

*Municipal Elections Act, 1996*

**ORAL OATH OF FRIEND OF ELECTOR**

I, \_\_\_\_\_, a friend of \_\_\_\_\_ (elector), an elector who is unable to vote without assistance, and who is entitled to vote in this municipality declare that I will:

- mark the ballot as directed by the elector; and
- keep secret the manner in which this elector voted.

**ORAL OATH OF INTERPRETER**

I, \_\_\_\_\_ (name of interpreter) acting as interpreter for \_\_\_\_\_ (name of elector), an elector entitled to vote in this municipality, declare that I will faithfully translate the necessary oaths as well as any lawful questions necessarily put to the elector and his/her answers at this voting place.

Signature of friend / interpreter: \_\_\_\_\_

Signature of Election Official: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTICE OF OFFENCE  
NOTICE OF CORRUPT PRACTICE<sup>1</sup>**

---

*Municipal Elections Act, 1996 (s. 89)*

Section 89 of the Municipal Elections Act, 1996 provides that a person is guilty of an offence, if he or she,

- (a) votes without being entitled to do so;
- (b) votes more times than the *Act* allows;
- (c) votes in a voting place in which he or she is not entitled to vote;
- (d) induces or procures a person to vote when that person is not entitled to do so;
- (e) before or during an election, publishes a false statement of a Candidate's withdrawal;
- (f) furnishes false or misleading information to a person whom this *Act* authorizes to obtain information;
- (g) without authority, supplies a ballot to anyone.

Section 90 of the said *Act* provides that if, when a person is convicted of an offence under Section 89, the presiding judge finds that the offence was committed knowingly, the offence also constitutes a corrupt practice.

---

(prepare in triplicate)

**DISCLAIMER TO RIGHT TO OFFICE**

*Municipal Elections Act, 1996 (s. 84 (1) - (3))*

I, \_\_\_\_\_, hereby disclaim all right to the office of  
(Name of Elected Candidate)

\_\_\_\_\_ to which I was elected in the Municipal  
(Name of Elected Office)

Election of October 24, 2022.

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Candidate

<p>THIS DISCLAIMER DELIVERED TO ME AT _____ (time) THIS          _____ DAY OF _____, 2022.</p> <p>_____</p> <p>Municipal Clerk or designate</p>
---

NOTE: A person who has been elected may disclaim all right to the office within 90 days after Voting Day unless an application is made under s. 83(1)(b) questioning his or her election (s. 84(1)). The disclaimer shall be in writing and addressed to the Clerk who conducted the election (s. 84(2)).

A person whose election is questioned in an application under s. 83(1)(b) may, within seven days after being served with the application, disclaim all right to the office (s. 84(3)). The disclaimer shall be made and delivered in accordance with section 84(4).

ALSO NOTE: The elected official is to appear in person, with identification, in order to disclaim rights to an office.



**CERTIFICATE OF MAXIMUM CAMPAIGN EXPENSES - CANDIDATE**

*Municipal Elections Act, 1996 (s.88.20(13))*

TO:

_____	
(Name of Candidate)	(Office)
_____	
(Address)	(Postal Code)

FROM:

The Clerk, or designated election official, of
_____
(Name of Municipality)

I hereby certify that the maximum campaign expenses that a candidate is permitted to incur for the office of \_\_\_\_\_ in the Municipal Election to be held October 24, 2022, is \_\_\_\_\_.<sup>1</sup>

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk or designate

In accordance with *MEA*, s.88.20(12)(13), the Clerk shall give Candidates a preliminary calculation of the maximum campaign expenses at the time of filing the nomination paper, based upon the number of electors on the Voters' List as September 15 in the 2018 municipal election, including changes made that day.

On or before September 25, 2022, the Clerk shall give a "final" Certificate of the applicable maximum campaign expenses to each Candidate. The number of electors to be used in this final calculation is to be the greater of the number of electors from the September 15, 2018 Voters' List, including changes made on that day, or the 2022 Voters' List as of September 15, including changes made on that day.

Certificate to be given to Candidate in accordance with Section 13.

\_\_\_\_\_  
<sup>1</sup> Formula for calculation provided in Section 88.20(6) (15).

**CERTIFICATE OF MAXIMUM AMOUNT OF CONTRIBUTIONS  
OWN CAMPAIGN**

*Municipal Elections Act, 1996 (s.33.0.2, 88.9.1)*

TO:

_____ / _____ (Name of Candidate) (Office)
_____ (Address) _____ (Postal Code)

FROM:

The Clerk, or designated election official, of _____ (Name of Municipality)
---

I hereby certify that the maximum amount of contributions to your own campaign that a candidate is permitted to incur for the office of \_\_\_\_\_ in the Municipal Election to be held October 24, 2022, is \_\_\_\_\_.

\_\_\_\_\_ Date

\_\_\_\_\_ Municipal Clerk or designate

In accordance with MEA, s.33.0.2(1), the Clerk shall give the Candidate a preliminary calculation of the permitted amount of contributions to a Candidate's own campaign as of the filing date, using the number of electors from the Voters' List as it existed on Nomination Day of the previous election, adjusted for applications under s.24 and s.25 that were approved as of that day. (s.88.9.1(7))

On or before September 25, 2022, the Clerk shall give the Candidate a final calculation of the permitted amount of contributions to a Candidate's own campaign. The number of electors to be used in this final calculation is to be the greater number of electors for the office from the Voters' List as it existed on Nomination Day of the previous election, adjusted for changes on that day or the number of electors on September 15 in the year of the current election, adjusted for changes made on that day.

In accordance with s.88.9.1(5), the Clerk is not required to give a Certificate if the maximum amount is \$25,000. Certificate to be given to candidate in accordance with Section 13.

**NOTICE TO CANDIDATE OF FILING REQUIREMENTS**

*Municipal Elections Act, 1996 (s. 88.25)*

TO:

_____ / _____	
(Name of Candidate)	(Office)
_____	_____
(Address)	(Postal Code)

FROM:

The Clerk or designated election official of
_____
(Name of Municipality)

**TAKE NOTICE EVERY CANDIDATE SHALL FILE** by March 31, 2023, with the Clerk with whom their nomination was filed a Financial Statement and Auditor's Report in accordance with s.88.25 of the *Municipal Elections Act, 1996*.

88.25 (1) On or before 2:00 PM on the filing date, a Candidate shall file with the Clerk with whom the nomination was filed a Financial Statement and Auditor's Report, each in the prescribed form, reflecting the Candidate's election campaign finances,

- (a) in the case of a regular election, as of December 31 in the year of the election;
  - (b) in the case of a by-election, as of the 45<sup>th</sup> day after Voting Day.
- (2) If a Candidate's election campaign ends as described in paragraph 3 of subsection 88.24(1), the Financial Statement and Auditor's Report must reflect the Candidate's election campaign finances as of the day the election campaign period ended.
- (3) If an error is identified in a filed Financial Statement, the Candidate may withdraw the statement and, at the same time, file a corrected Financial Statement and Auditor's Report on or before the applicable filing date under section 88.30.
- (4) If the Candidate's election campaign period continues during all or part of the supplementary filing period, the Candidate shall, before 2:00 PM on the supplementary filing date, file a supplementary Financial Statement and Auditor's Report for the supplementary reporting period.
- (5) If a Candidate's election campaign period ends as described in paragraph 3 of

subsection 88.24(1) and the election campaign period continued during all or part of the supplementary filing period, the Candidate shall, before 2:00 PM on the supplementary filing date, file a supplementary Financial Statement and Auditor's Report for the period commencing on the day the Candidate's election campaign period ends and including the six-month period following the year of the election.

- (6) A supplementary Financial Statement or Auditor's Report shall include all the information contained in the initial statement or report filed under subsection (1) updated to reflect the changes to the Candidate's campaign finances during the supplementary reporting period.
- (7) An Auditor's Report shall be prepared by an Auditor licensed under the *Public Accounting Act, 2004*.
- (8) No Auditor's Report is required if the total contributions received and total expenses incurred in the election campaign up to the end of the relevant period are each equal to or less than \$10,000.

---

Date

---

Municipal Clerk or designate

Note: At least 30 days before the filing date, the Clerk shall give notice to Candidates of all the filing requirements under *MEA*, s.88.25, along with the Candidate's entitlement to receive a refund of the nomination filing fee if he or she meets the requirements of *MEA*, s.34 and the penalties set out in *MEA*, s.88.23(2) and s.92(1)

Notice to be given in accordance with *MEA*, s.13.

**NOTICE OF PENALTIES**

- 88.23(2) Subject to subsection (7), in the case of a default described in subsection (1),
- (a) the Candidate forfeits any office to which he or she was elected and the office is deemed to be vacant, and
  - (b) until the next regular election has taken place, the Candidate is ineligible to be elected or appointed to any office to which this *Act* applies.
- 92(1) A Candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this *Act*, is subject to the penalties described in subsection 88.23(2),
- (a) if the Candidate incurs expenses that exceed the amount determined for the office under section 88.20; or
  - (b) if the Candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

**NOTICE TO REGISTERED THIRD PARTY OF FILING REQUIREMENTS**

*Municipal Elections Act, 1996 (s.88.29)*

TO:

_____ (Name of Registered Third Party)	
_____ (Address)	_____ (Postal Code)

FROM:

The Clerk or designated election official of  _____ (Name of Municipality)
---

**TAKE NOTICE THAT EVERY REGISTERED THIRD PARTY SHALL FILE** by March 31, 2023, with the Clerk with whom their nomination was filed a Financial Statement and Auditor's Report in accordance with s.88.29 of the *Municipal Elections Act, 1996*.

- 88.29(1) On or before 2:00 PM on the filing date, a Registered Third Party shall file with the Clerk of the municipality in which he, she or it registered a Financial Statement and Auditor's Report, each in the prescribed form, reflecting the Registered Third Party's campaign finances in relation to Third Party advertisements,
- (a) in the case of a regular election, as of December 31 in the year of the election;
  - (b) in the case of a by-election, as of the 45<sup>th</sup> day after Voting Day.
- (2) If an error is identified in a filed Financial Statement, the Registered Third Party may withdraw the statement and, at the same time, file a corrected Financial Statement and Auditor's Report on or before the applicable filing date under section 88.30.
- (3) If the campaign period for the Registered Third Party in relation to an election in the municipality continues during all or part of the supplementary reporting period, the Registered Third Party Shall, before 2:00 PM on the supplementary filing date, file a supplementary Financial Statement and Auditor's Report for the supplementary reporting period.
- (4) A supplementary Financial Statement or Auditor's Report shall include all the information contained in the initial statement or report filed under subsection (1), updated to reflect the changes to the Registered Third Party's campaign finances during the supplementary reporting period.

(5) An Auditor's Report shall be prepared by an Auditor licensed under the *Public Accounting Act, 2004*.

(6) No Auditor's Report is required if the total contributions received and total expenses incurred in the Registered Third Party's campaign in relation To Third Party advertisements during an election in the municipality up to the end of the relevant period are each equal to or less than \$10,000.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk or designate

Note: At least 30 days before the filing date, the Clerk shall give notice to Registered Third Parties of all the filing requirements under *MEA*, s.88.29 and the penalties set out in subsections 88.27(1) and 92(4).

Notice to be given in accordance with *MEA*, s.13.

**NOTICE OF PENALTIES**

- 88.27(1) Subject to subsection (6) and in addition to any other penalty that may be imposed under this *Act*, an individual, corporation or trade union that is registered as a Registered Third Party in relation to an election in a municipality is not entitled to register in relation to a subsequent election in the municipality until after the next regular election has taken place,
- (a) if the Registered Third Party fails to file a document as required under section 88.29 or 88.32 by the relevant date;
  - (b) if a document filed under section 88.29 shows on its face a surplus, as described in section 88.31, and the Registered Third Party fails to pay the amount required by subsection 88.31(4) to the Clerk by the relevant date;
  - (c) if a document filed under section 88.29 shows on its face that the Registered Third Party has incurred expenses exceeding what is permitted under section 88.21; or
  - (d) if a document filed under section 88.32 shows on its face a surplus and the Registered Third Party fails to pay the amount required by that section by the relevant date.
- 92(4) A Registered Third Party is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this *Act*, is subject to the penalties described in subsection 88.27(1),
- (a) if the Registered Third Party incurs expenses that exceed the amount determined for the office under section 88.21; or
  - (b) if the Registered Third Party files a document under section 88.29 or 88.32 that is incorrect or otherwise does not comply with that section.



**NOTICE OF DEFAULT-CANDIDATES**

*Municipal Elections Act, 1996 (s. 88.23(3))*

TO:

_____ / _____ (Name of Candidate) (Office)
_____ (Address) _____ (Postal Code)

FROM:

The Clerk, or designated election official of _____ (Name of Municipality)
--

**TAKE NOTICE** that you are in default of the requirements of the *Municipal Elections Act, 1996*, as:

- |   |
|---|
| A. You failed to file documents with the Municipal Clerk as required by Section 88.25 or 88.32 of the <i>Municipal Elections Act 1996</i> on or before the relevant date, or                                      |
| B. You failed to pay the amount of the surplus shown in documents which were filed with the Municipal Clerk by the relevant date as required by Section 88.31(4) of the <i>Municipal Elections Act, 1996</i> , or |
| C. A document filed under Section 88.25 of the <i>Municipal Elections Act 1996</i> shows on its face that you have incurred expenses exceeding the amount permitted under Section 88.20 of that <i>Act</i> .      |
| D. You failed to pay the amount under s.88.32 and failed to pay the amount required by that section to the Clerk by the relevant date.  |

**NOTICE OF DEFAULT - APPROPRIATE SECTION INDICATED**

If this notice indicates that you have failed to file a document required by Section 88.25 or 88.32 of the *Municipal Elections Act*, the following provisions and penalties apply:

**TO A SUCCESSFUL CANDIDATE**

- (i) you forfeit any office to which you were elected and the office shall be deemed to be vacant
- (ii) until the next regular election has taken place, you are ineligible to be elected or appointed to any office to which the *Municipal Elections Act, 1996* applies.

**OR UNSUCCESSFUL CANDIDATE**

- (i) until the next regular election has taken place, you are ineligible to be elected or appointed to any office to which the *Municipal Elections Act, 1996* applies.

Sections 91, 92 and 94 of the *Municipal Elections Act, 1996* set out penalties with respect to violations under the *Act* as follows:

**Corrupt Practice and Ineligibility for Office**

91.(1) If a person is convicted of a corrupt practice under this *Act*, or of an offence under the *Criminal Code (Canada)* in connection with an act or omission that relates to an election to which this *Act* applies, then, in addition to any other penalty provided for in this *Act*,

- (a) any office to which the person was elected is forfeited and becomes vacant, and
- (b) the person is ineligible to be nominated for, or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates.

**Exception**

91.(2) However, if the presiding judge finds that the person committed the corrupt practice or offence under the *Criminal Code (Canada)* without any intent of causing or contributing to a false outcome of the election, clause (1)(b) does not apply.

**Offences by Candidate**

92.(1) A Candidate is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this *Act*, is subject to the penalties described in subsection 88.23(2),

**General Penalty, Individual**

94.1 (1) An individual who is convicted of an offence under this *Act* is liable to the following penalties in addition to any other penalty provided for in this *Act*:

- 1. For any offence, a fine of not more than \$25,000.
  - 2. For any offence other than a corrupt practice, the penalties described in subsection 88.23 (2) and 88.27 (1).
- (2) For an offence under section 90, imprisonment for a term of not more than six months.
- (3) For any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than six months. 2009, c. 33, Sched. 21, s. 8 (68); 2016, c. 15, s. 70.

**Same, corporation or trade union**

(2) A corporation or trade union that is convicted of an offence under this *Act* is liable to a fine of not more than \$50,000 in addition to any other penalty provided for in this *Act*. 2009, c. 33, Sched. 21, s. 8 (68)

- (a) if the candidate incurs expenses that exceed the amount determined for the office under section 88.20; or
- (b) if the candidate files a document under section 88.25 or 88.32 that is incorrect or otherwise does not comply with that section.

**Exception**

92.(2) However, if the presiding judge finds that the candidate, acting in good faith, committed the offence inadvertently or because of an error in judgement, the penalties described in subsection 88.23(2) do not apply.

**Additional Penalty, Candidates**

92.(3) if the expenses incurred by or under the direction of a candidate exceed the amount determined for the office under section 88.20, the candidate is liable to a fine equal to the excess, in addition to any other penalty provided for in the Act.

**General Offence**

94. A person who contravenes any provision of this Act or regulation under this Act or a by-law passed by a municipality under this Act is guilty of an offence.

**General penalty, individual**

94.1 (1) An individual who is convicted of an offence under this Act is liable to the following penalties in addition to any other penalty provided for in this Act:

- 1. For any offence, a fine of not more than \$25,000.
- 2. For any offence other than a corrupt practice, the penalties described in subsection 88.23 (2) and 88.27 (1).

(2) For an offence under section 90, imprisonment for a term of not more than six months.

(3) For any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than six months. 2009, c. 33, Sched. 21, s. 8 (68); 2016, c. 15, s. 70.

**Same, corporation or trade union**

(2) A corporation or trade union that is convicted of an offence under this Act is liable to a fine of not more than \$50,000 in addition to any other penalty provided for in this Act. 2009, c. 33, Sched. 21, s. 8 (68)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk or designate

**NOTICE OF DEFAULT-REGISTERED THIRD PARTIES**

*Municipal Elections Act, 1996 (s. 88.27(1))*

TO:

_____ (Name of Registered Third Party)	
_____ (Address)	_____ (Postal Code)

FROM:

The Clerk, or designated election official of _____ (Name of Municipality)
--

**TAKE NOTICE** that you are in default of the requirements of the *Municipal Elections Act, 1996*, because:

- |  |
|--|
| A. You failed to file documents with the Municipal Clerk as required by Section 88.29 or 88.32 of the <i>Municipal Elections Act 1996</i> on or before the relevant date                                     |
| B. You failed to pay the amount of the surplus shown in documents which were filed with the Municipal Clerk by the relevant date as required by Section 88.31(4) of the <i>Municipal Elections Act, 1996</i> |
| C. A document filed under Section 88.29 of the <i>Municipal Elections Act 1996</i> shows on its face that you have incurred expenses exceeding the amount permitted under Section 88.21 of that <i>Act</i> . |
| D. You failed to pay the amount under s.88.32 and failed to pay the amount required by that section to the Clerk by the relevant date.   |

**NOTICE OF DEFAULT**

If this notice indicates that you have failed to file a document required by Section 88.29 or 88.32 of the *Municipal Elections Act*, the following provisions and penalties apply:

*MEA*, s.88.27(1) - Subject to *MEA*, s.88.27(6), and in addition to any other penalty that may be imposed under this *Act*, an individual, corporation or trade union that is registered as a Third Party in relation to an election in a municipality is not entitled to register in relation to a subsequent election if the municipality until after the next regular election has taken place.

Sections 91, 92 and 94 of the *Municipal Elections Act, 1996* set out penalties with respect to violations under the Act as follows:

**Corrupt practice and ineligibility for office**

91.(1) If a person is convicted of a corrupt practice under this *Act*, or of an offence under the *Criminal Code (Canada)* in connection with an act or omission that relates to an election to which this *Act* applies, then, in addition to any other penalty provided for in this *Act*,

- (a) any office to which the person was elected is forfeited and becomes vacant, and
- (b) the person is ineligible to be nominated for, or elected or appointed to, any office until the next two regular elections have taken place after the election to which the offence relates.

**Exception**

91.(2) However, if the presiding judge finds that the person committed the corrupt practice or offence under the *Criminal Code (Canada)* without any intent of causing or contributing to a false outcome of the election, clause (1)(b) does not apply.

**Offences by Registered Third Party**

92.(4) A Registered Third Party is guilty of an offence and, on conviction, in addition to any other penalty that may be imposed under this *Act*, is subject to the penalties described in subsection 88.27(1),

- (a) if the Registered Third Party incurs expenses that exceed the amount determined for the office under section 88.21; or
- (b) if the Registered Third Party files a document under section 88.29 or 88.32 that is incorrect or otherwise does not comply with that section.

**Exception**

92.(5) However, if the presiding judge finds that the Registered Third Party, acting in good faith, committed the offence inadvertently or because of an error in judgement, the penalty described in subsection 88.27(1) does not apply.

**Additional Penalty, Registered Third Party**

92.(6) if the expenses incurred by or under the direction of a Registered Third Party exceed the amount determined under section 88.21, the Registered Third Party is liable to a fine equal to the excess, in addition to any other penalty provided for in the *Act*.

**General Offence**

94. A person who contravenes any provision of this *Act* or regulation under this *Act* or a by-law passed by a municipality under this *Act* is guilty of an offence.

**General penalty, individual**

94.1 (1) An individual who is convicted of an offence under this *Act* is liable to the following penalties in addition to any other penalty provided for in this *Act*:

1. For any offence, a fine of not more than \$25,000.
2. For any offence other than a corrupt practice, the penalties described in subsection 88.23 (2) and 88.27 (1).
3. For an offence under section 90, imprisonment for a term of not more than six months.
4. For any offence that the presiding judge finds that the individual committed knowingly, imprisonment for a term of not more than six months. 2009, c. 33, Sched. 21, s. 8 (68); 2016, c. 15, s. 70.

**Same, corporation or trade union**

(2) A corporation or trade union that is convicted of an offence under this *Act* is liable to a fine of not more than \$50,000 in addition to any other penalty provided for in this *Act*. 2009, c. 33, Sched. 21, s. 8 (68)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk or designate

**CERTIFICATE OF MAXIMUM AMOUNT OF CAMPAIGN EXPENSES –  
REGISTERED THIRD PARTY**

*Municipal Elections Act, 1996 (s.88.21(15))*

TO:

_____ (Name of Registered Third Party)		
_____ (Address)	_____	_____ (Postal Code)

FROM:

The Clerk, or designated election official, of _____ (Name of Municipality)
---

I hereby certify that the maximum amount of campaign expenses that a Registered Third Party is permitted to incur in the Municipal Election to be held October 24, 2022, is \_\_\_\_\_.

In accordance with *MEA*, s., the 88.21(15), upon registering the Registered Third Party, the Clerk shall give the individual filing the registration a Certificate setting out the maximum amount for campaign expenses. For the Preliminary Certificate, the Clerk shall calculate an estimated amount using the number of electors from the Voters' List as it existed on Nomination Day for the 2018 municipal election.

On or before September 25, 2022, the Clerk shall give the Registered Third Party a final calculation of the permitted amount of maximum campaign expenses. The formula to be used is the greater number of electors on Nomination Day for the previous election, adjusted for changes made that day or the number of electors as of September 15 in the 2022 municipal election, adjusted for changes made on that day.

Certificate to be given to Registered Third Party in accordance with Section 13.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk or designate

**CERTIFICATE OF MAXIMUM AMOUNT OF EXPENSES FOR PARTIES ETC. –  
REGISTERED THIRD PARTY**

*Municipal Elections Act, 1996 (s.88.21(15))*

TO:

_____ (Name of Registered Third Party)		
_____ (Address)		_____ (Postal Code)

FROM:

The Clerk, or designated election official, of	
_____ (Name of Municipality)	

I hereby certify that the maximum amount of expenses for parties, etc., that a Registered Third Party is permitted to incur in the Municipal Election to be held October 24, 2022, is

\_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Clerk or designate

In accordance with *MEA*, s., the 88.21(15), upon registering the Registered Third Party, the Clerk shall give the individual filing the registration a Certificate setting out the maximum amount for expenses for parties etc. For the Preliminary Certificate, the Clerk shall calculate an estimated amount using the number of electors from the Voters' List as it existed on Nomination Day for the 2018 municipal election.

On or before September 25, 2022, the Clerk shall give the Registered Third Party a final calculation of the permitted amount of maximum expenses for parties etc. The formula to be used is the greater number of electors on Nomination Day for the previous election, adjusted for changes made that day or the number of electors as of September 15 in the 2022 municipal election, adjusted for changes that day.

Certificate to be given to a Registered Third Party in accordance with Section 13.



**CONSENT TO RELEASE PERSONAL INFORMATION**  
Municipal Freedom of Information and Protection of Privacy Act

---

Personal information on the Nomination Paper is collected under the authority of the *Municipal Elections Act* and will be used to assist the Clerk in the administration of the 2022 Municipal Elections.

---

Name of Candidate: \_\_\_\_\_

Candidate for the office of:

- Mayor
- Reeve
- Councillor
- Trustee English Public
- Trustee English Separate
- Trustee French Public
- Trustee French Separate

I acknowledge that the Nomination Form (Form 1) filed by me contains personal information and I am aware that the Clerk will disclose all or part of it to the general public.

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Signature of Clerk or Designate

Dated at the Town of Deep River, this \_\_\_\_\_ day of \_\_\_\_\_, 2022